



Get a Slice of the Apple.

**TOWN OF APPLE VALLEY
PLANNING COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, March 7, 2018 – 6:00 P.M.**

PUBLIC PARTICIPATION IS INVITED. Planning Commission meetings are held in the Town Council Chambers located at 14955 Dale Evans Parkway, Apple Valley, California. If you wish to be heard on any item on the agenda during the Commission's consideration of that item, or earlier if determined by the Commission, please so indicate by filling out a "REQUEST TO SPEAK" form at the Commission meeting. Place the request in the Speaker Request Box on the table near the Secretary, or hand it to the Secretary at the Commission meeting. (G.C. 54954.3 {a}).

Materials related to an item on this agenda, submitted to the Commission after distribution of the agenda packet, are available for public inspection in the Town Clerk's Office at 14955 Dale Evans Parkway, Apple Valley, CA during normal business hours. Such documents are also available on the Town of Apple Valley website at www.applevalley.org subject to staff's ability to post the documents before the meeting.

The Town of Apple Valley recognizes its obligation to provide equal access to those individuals with disabilities. Please contact the Town Clerk's Office, at (760) 240-7000, two working days prior to the scheduled meeting for any requests for reasonable accommodations.

REGULAR MEETING

The Regular meeting is open to the public and will begin at 6:00 p.m.

CALL TO ORDER

ROLL CALL

Commissioners: Shoup _____; Kallen _____; Qualls _____
Chairman Tinsley _____ and Vice-Chairman Lamoreaux _____

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Anyone wishing to address an item not on the agenda, or an item that is not scheduled for a public hearing at this meeting, may do so at this time. California State Law does not allow the Commission to act on items not on the agenda, except in very limited circumstances. Your concerns may be referred to staff or placed on a future agenda.

APPROVAL OF MINUTES

None

PUBLIC HEARING ITEMS

1. **Tentative Tract Map No. 20128.** The applicant proposes a request to subdivide approximately 101 acres into 137 single-family lots and eleven (11) lettered lots. All lots are single-family residential and will range in size from 18,000 to 42,701 square feet. The average lot size for the project is 20,607 square-feet.

APPLICANT: Frontier Land Holdings Inc.

LOCATION: Southwest corner of Geronimo Road and Deep Creek Road alignment. APN 3087-171-07.

ENVIRONMENTAL

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

CASE PLANNER: Carol Miller, Assistant Director Community Development

RECOMMENDATION: Approval

2. **General Plan Amendment No. 2017-001:** A request to consider a change to the General Plan land use designation from Specific Plan (Meadowbrook) to General Commercial (C-G), Medium Density Residential (R-M: 4 to 20 units per net acre) and Single Family Residential (R-SF: 1 dwelling unit per 0.4 to 0.9 net acre)

Zone Change No. 2017-001: A request to consider a zone change from Specific Plan (Meadowbrook) to General Commercial (C-G), Multi-Family Residential (R-M) and Single Family Residential (R-SF)

APPLICANT: Town of Apple Valley

LOCATION: The Meadowbrook Planned Unit Development is located at the southeast corner of Apple Valley Road and Yucca Loma Road; APNs: APNs 3087-011-04, -07 thru -09, -11, -17 thru 20, 3087-012-01 thru -80.

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: Carol Miller, Assistant Director Community Development

RECOMMENDATION: Approval

PLANNING COMMISSION COMMENTS

STAFF COMMENTS

OTHER BUSINESS

ADJOURNMENT

The Planning Commission will adjourn to its next regularly scheduled Planning Commission meeting on March 21, 2018.



TOWN OF APPLE VALLEY PLANNING COMMISSION

Get a Slice of the Apple.

Staff Report

AGENDA DATE: March 7, 2018

CASE NUMBER: Tentative Tract Map No. 20128

APPLICANT: Frontier Land Holdings Inc.

PROPOSAL: A request to subdivide approximately 101 acres into 137 single-family lots and eleven (11) lettered lots. All lots are single-family residential and will range in size from 18,000 to 42,701 square feet. The average lot size for the project is 20,607 square-feet.

LOCATION: Southwest corner of Geronimo Road and Deep Creek Road alignment.
APN 3087-171-07

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

CASE PLANNER: Carol Miller, Assistant Director Community Development

RECOMMENDATION: Approval

PROJECT SITE AND DESCRIPTION

- A. Project Size:
The existing parcel is approximately 101 acres in size.

- B. General Plan Designations:
 - Project Site - Single-Family Residential (R-SF)
 - North - Single-Family Residential (R-SF)
 - South - Regional Commercial (C-R)
 - East - Single-Family Residential (R-SF)
 - West - Single-Family Residential (R-SF)

C. Surrounding Zoning and Land Use:

Project Site- Single-Family Residential (R-SF), Vacant
North - Single-Family Residential (R-SF), Vacant
South - Regional Commercial (C-R), Vacant and Single-family residence
East - Single-Family Residential (R-SF), Vacant
West - Single-Family Residential (R-SF), Single-family residence

D. Site Characteristics:

The property is approximately 101 acres in size. The subject property is the site of a former horse track and stables. The property is vacant and shows signs of disturbance from this past activity.

ANALYSIS

A. General:

The applicant is seeking approval of Tentative Tract Map No. 20128 that will subdivide approximately 101 acres into 137 lots. The Single-Family Residential (R-SF) zoning designation sets minimum property size standards for land uses, subject to conformance with the provisions of the Development Code. The R-SF zoning designation requires a minimum lot size of 18,000 square feet, minimum lot width of 100 feet and a minimum lot depth of 150 feet. Corner lots are required a minimum lot size 20,000, minimum lot width of 115 feet and a minimum lot depth of 150 feet. The lots range in size from 18,000 to 42,701 square feet which meets the minimum lot size requirement.

B. Analysis:

In accordance with Code Section 9.28.050E2, a fourteen (14)-foot and sixteen (16)-foot wide easement is required along the east side of Deep Creek to allow for landscaping, bike paths and multi-use trails. This provides greater flexibility in streetscape landscape design and avoids a tunnel effect created by unbroken sound walls placed too close to the street. The map indicates a twelve (12)-foot wide landscape easement along Deep Creek Road. Therefore, Condition No. 17 requires the additional two (2)-foot width.

No new development or construction activities are proposed with this Planning Commission action; however, a Development Permit is required for homes built within a subdivision of five (5) or more lots. As part of the development process, a Development Permit review and approval by the Planning Commission is required for the architecture of the residential structures.

The proposed Project allows for the logical and orderly extension of residential development in an area that is already partially developed with residential development that have similar densities and lot sizes and a tentative tract map to the north.

The Tentative tract map does not indicate dedicated points of ingress and egress. However, the Engineering Division is requiring Deep Creek Road be improved to access road standards from the project boundary to Bear Valley Road to the south, and Geronimo Road from the project boundary to existing paved section of Geronimo Road to the east.

The residential lots range in size from 18,000 square feet to 42,701 square feet. The average lot size for the project is 20,607 square-feet. The lettered lots are proposed to be common areas to be used for landscape areas and used as water quality retention basins. Lettered Lots will be maintained by an Assessment District (Condition of Approval No. EC24) The development will not be a gated community, and the interior streets are designed to

meet the Town's standard as public streets. The Project will include a six (6)-foot high block wall surrounding the proposed residential community except where one already exists. The project has been conditioned that if fencing is required to secure the drainage channel that the fencing be decorative in nature, such as wrought iron.

1. Traffic and Circulation

The circulation plan for the tract is designed to provide safe and efficient access to the future and existing residential neighborhoods and park area. All street and roadway design plans will adhere to the required Town standards at all intersections and driveways.

Deep Creek Road which is currently unimproved, will be re-aligned and is required to provide full-width street improvements within the project boundary. The alignment matches up with the Tentative Tract Map No. 18763 to the north.

2. Drainage

Prior to issuance of a grading permit, a final drainage plan shall be submitted for review and approval by the Town Engineer showing provisions for receiving and conducting off-site and on-site tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. The proposal is required to retain onsite drainage flows from a 100-year design storm by way of a retention basin, dry-wells or any combination thereof.

3. Sewer Connection

The project is required to connect to the public sewer.

C. Environmental Assessment:

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

D. Noticing:

The public hearing for proposed Tentative Tract Map No. 20128 was legally noticed on February 16, 2018.

E. Findings:

In considering any Tentative Parcel Map, the Commission is required by the Development Code to make specific Findings. The following are the Findings for a Tentative Parcel Map required under Section 9.71.040 (A5) of the Development Code and a comment to address each:

1. The proposed Subdivision, together with the provisions for its design and improvement, is consistent with the General Plan and any applicable Specific Plan. The proposed subdivision or land use is compatible with the objectives, policies, general land uses and programs specified in the General Plan and any applicable Specific Plan (Subdivision Map Act 66473.5).

Comment: The subject property has a General Plan land use designation Single-Family Residential (R-SF) and a Zoning Designation of Equestrian Residential (R-SF) and by size, shape and configuration has the ability to be used in a manner consistent with the General

Plan Land Use Element and zoning designations. The project is a proposal to divide 101 acres into 137 lots ranging in size of 18,000 s.f to 42,701 square feet. The average lot size for the project is 20,607 square-feet. With adherence to the recommended conditions, will meet the minimum requirements for lot size, width and depth as prescribed by the Code.

2. The Planning Commission has considered the effects of its action upon the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Subdivision Map Act Section 66412.3).

Comment: The proposal consists of a land subdivision located on residentially designated land for the purpose of future residential development at the density allowed by the underlying zoning. The proposed subdivision will allow the property owner to develop the property in a manner that is consistent with the Town's General Plan Goals and Objectives to promote single-family residential development.

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

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

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

Comment: The project is a residential land subdivision that is required to connect to the public sewer system.

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:

1. Determine that the proposed Tentative Tract Map will not have a significant effect on the environment with adherence to the Mitigation Measures recommended in this report.
2. Adopt the Mitigated Negative Declaration finding for TTM No. 18763, finding that on the basis of the whole record before the Planning Commission, including the Initial Study and any comments received, there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the Town's independent judgment and analysis.

Tentative Tract Map No. 20128
March 7, 2018 Planning Commission Meeting

3. Find that the facts presented in the staff report support the required Findings for approval and adopt those findings.
4. Approve Tentative Tract Map No. 20128, subject to the attached Conditions of Approval.
5. Direct staff to file a Notice of Determination.

Prepared By:

Carol Miller
Assistant Director of Community Development

ATTACHMENTS:

1. Recommended Conditions of Approval
2. Tentative Tract Map
3. Zoning Map
4. Mitigated Negative Declaration/ Initial Study

TOWN OF APPLE VALLEY

RECOMMENDED CONDITIONS OF APPROVAL
Tentative Tract Map No. 20128

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

Planning Division Conditions of Approval

- P1. This tentative subdivision shall comply with the provisions of the State Subdivision Map Act and the Town Development Code. This tentative approval shall expire three (3) years from the date of approval by the Planning Commission/Town Council. A time extension may be approved in accordance with the State Map Act and Town Ordinance, if an extension application is filed and the appropriate fees are paid thirty (30) days prior to the expiration date. The Tentative Parcel Map becomes effective ten (10) days from the date of the decision unless an appeal is filed as stated in the Town's Development Code.
- P2. Prior to approval of the Final Map, the following agencies shall provide written verification to the Planning Division that all pertinent conditions of approval and applicable regulations have been met:
- Apple Valley Fire Protection District
Liberty Utilities
Apple Valley Public Works Division
Apple Valley Engineering Division
Apple Valley Planning Division
- P3. The filing fee for a Notice of Determination (NOD) requires the County Clerk to collect a handling fee of \$50.00. Additionally, as of January 1, 2018, a fee of \$2,216.25 is required to be collected by the County for the processing of a NOD for the State Fish & Game fees. The fees must be paid within five (5) days of the approval of this application in order to reduce the Statute of Limitations to thirty (30) days. The check shall be made payable to the Clerk of the Board of Supervisors.
- P4. Tentative Tract Map No. 20128 shall adhere to all requirements of the Development Code.
- P5. The applicant shall defend at his sole expense (with attorneys approved by the Town), and indemnify the Town against any action brought against the Town, its agents, officers or employees resulting from or relating to this approval. The applicant shall reimburse the Town, its agents, officers or employees for any judgment, court costs and attorney's fees which the Town, its agents, officers or employees may be required to pay as a result of such action. The Town may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of these obligations under this condition.
- P6. Approval of the Tentative Tract Map No. 20128 by the Planning Commission is understood as acknowledgement of Conditions of Approval by the applicant, unless an appeal is filed

- in accordance with Section 9.12.250, Appeals, of the Town of Apple Valley Development Code.
- P7. The project shall conform to the Residential Single-Family (R-SF), development standards for front, side and rear yard-building setbacks.
- P8. If the tract/parcel map is adjacent to existing development, a fence/wall plan shall be submitted with the grading and landscape/irrigation plans to identify how new fencing or walls will relate to any existing fences or walls located around the perimeter of the tract/parcel map. The developer shall be required to connect to the existing fencing/walls or collaborate with the adjacent property owners to provide new fencing/walls and remove the existing fence/wall, both options at the developer's expense. Double fencing shall be avoided, and review and approval of the fencing/wall plan is required prior to issuance of grading permits.
- P9. Prior to recordation of Final Map, three sets of detailed landscaping and irrigation plans for the parkway area, retention basins, and subdivision entrances, prepared by a qualified licensed landscape professional, shall be submitted to the Planning Division for review and approval. The landscape and irrigation plans shall be prepared in compliance with the applicable landscape section of the Town Development Code.
- P10. All mitigation measures described in the Initial Study will be implemented as part of the project.
- P11. In accordance with Code Section 9.28.050E2, a fourteen (14)-foot and sixteen (16)-foot wide easement is required along Deep Creek to allow for landscaping, bike paths and multi-use trails.
- P12. The applicant/developer shall install the landscaping along Deep Creek Road and within the retention/detention basin, and drainage channel. The applicant/developer shall form a Home Owners Association (HOA) or annex into an assessment district to maintain the landscaping and lighting standards of the development, and any retention basin created.
- P13. A minimum 3-6-foot tall CMU wall (or equivalent, minimum 3.5 lbs/ sq ft of face area) shall be constructed for Lot No. 8-11, 110-119, 120-126. Wall height will depend on the lot location (refer to Exhibit E of Noise Impact Study for location). The effective wall height must be positioned either on top of the slope or above the pad elevation (whichever is taller). Recommended barrier must be present solid face from top to bottom. Preventable openings or decorative cutouts shall be avoided. All gaps (except for weeping holes) shall be filled with grout or caulking to avoid noise flanking.
- P14. The project site will require a minimum 25 dB of noise reduction. To achieve 25 dB noise reduction, all first row, 1st floor residential facades (Lot Nos. 8-11, 110-119, 120-126) directly facing Deep Creek Road will require a minimum STC rating of 25. All first row, 2nd floor residential facades (Lot Nos. 8-11, 110-119, 120-126) directly facing Deep Road will require a minimum STC rating of 28. For proper acoustical performance, all exterior windows, doors, and sliding glass doors must have positive seals and weather stripping, and leaks/cracks must be kept to a minimum.
- P15. Prior to the issuance of a grading permit or recordation of the first final map, whichever occurs first, the developer shall submit a final phasing and construction plan covering the

entire Tentative Map for review and approval by the Planning Division. The plan shall specifically address the following:

- a) Vehicular access for each map or phase of development. Each map and/or phase of development shall have 2 points of vehicular access for fire and other emergency equipment, and for routes of escape which will safely handle evacuations as required by the Development Code.
 - b) Submit a master grading plan that addresses grading for each phase of development. The approved conceptual grading plan shall be provided to the Engineering and Building and Safety Division and shall be used as a guideline for subsequent detailed grading plans for individual units or phases of the Tentative Map. The plan shall include techniques to be used to prevent erosion and sedimentation during and after grading. The master grading plan shall also identify areas where temporary grading occurs on any phase other than the one being graded for development.
 - c) Identify all street improvements to be constructed by phase.
 - d) Submit a master utility plan that identifies all water and sewer facilities to be constructed for each phase of development.
 - e) Identify all drainage improvements to be constructed by phase.
- P16. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.
- P17. In the event that Native American cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, San Manuel Band of Mission Indians will be contacted if any such find occurs and be provided information and permitted/invited to perform a site visit when the archaeologist makes his/her assessment, so as to provide Tribal input.
- P18. If significant Native American historical resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, an SOI-qualified archaeologist shall be retained to develop an cultural resources Treatment Plan, as well as a Discovery and Monitoring Plan, the drafts of which shall be provided to San Manuel Band of Mission Indians for review and comment.
- a. All in-field investigations, assessments, and/or data recovery enacted pursuant to the finalized Treatment Plan shall be monitored by a San Manuel Band of Mission Indians Tribal Participant(s).
 - b. The Lead Agency and/or applicant shall, in good faith, consult with San Manuel Band of Mission Indians on the disposition and treatment of any artifacts or other cultural materials encountered during the project.

- P19. A pre-construction survey shall be completed by a qualified biologist not more than 3 days of initiation of any earth moving activity on site. The pre-construction survey shall include an intensive site survey for desert tortoise, Mojave Ground Squirrel, kit fox, burrowing owl and migratory birds. Should any affected species be identified, the biologist shall include recommendations for avoidance in his/her report.
- P20. Prior to the issuance of a grading permit, the applicant shall demonstrate compliance with MDAQMD regulations for the control of fugitive dust emissions by preparing and submitting a Dust Control Plan for review and approval by MDAQMD. The Dust Control Plan shall describe all fugitive dust control measures to be implemented before, during, and after any dust generating activity. The measures described in the plan shall be made condition of approval of the ground disturbing permits.
- P21. The applicant's SWPP shall be submitted to the Lahontan Regional Water Quality Control Board. Proof of said approved plan and associated certification shall be provided to the Town prior to the issuance of grading permits.
- P22. A copy of the final grading plan shall be submitted to the Planning Division for review and approval.
- a. All on-site cut and fill slopes shall be limited to a maximum slope ratio of 2 to 1 and a maximum vertical height of thirty (30) feet. Setbacks from top and bottom of slopes shall be a minimum of one-half the slope height.
 - b. Slopes shall be contour graded to blend with existing natural contours.
 - c. Slopes shall be a part of the downhill lot when within or between individual lots.
- P23. Any fencing that may be required along the 150' wide drainage channel/easement shall be decorative in design. Chain link is not considered decorative.
- P24. The block wall along Deep Creek Road, adjacent to Lot Nos. 120-thru 125 may be located at the top of slope provided the sloped area is identified as a landscape easement that will be maintained by the Assessment District.

Park District Conditions of Approval

- PR1. This project is subject to applicable Quimby Fees as determined by the Town. Quimby Fees shall be collected at time of issuance of building permit and shall be the fee adopted by the Town Council at the time of permit issuance.

Building and Safety Division Conditions of Approval

- BC1. An engineered grading report including soils report shall be submitted to and approved by the Building official prior to recordation of the final map or issuance of permits for grading in excess of 1,000 cubic yards.
- BC2. Grading and drainage plans must be submitted to and approved by the Building Official, Planning Department and Town Engineer prior to permit issuance.
- BC3. Submit plans and obtain permits for all structures and retaining walls, signs.

- BC4. A pre-construction permit and inspection are required prior to any land disturbing activity to verify requirements for erosion control, flood hazard native plant protection and desert tortoise habitat.
- BC5. A Notice of Intent (NOI) and Storm Water Prevention Plan (SWPP) must be submitted to and approved by the Engineering and Building Departments prior to issuance of a grading permit and or any land disturbance.
- BC6. All utilities shall be placed underground in compliance with Town Ordinance No. 89.
- BC7. All cross lot drainage requires easements and may require improvements at the time of development.
- BC8. Comply with the State of California Disability Access requirements.
- BC9. A pre-grading meeting is required prior to beginning any land disturbance. This meeting will include the Building Inspector, General Contractor, Grading Contractor, soils technician and any other parties required to be present during the grading process such as a Biologist and/or Paleontologist.
- BC10. A dust palliative or hydro seed will be required on those portions of the site graded but not constructed (phased construction)
- BC11. Construction must comply with the applicable California Building Codes and green Building Code.
- BC12. Best Management Practices (BMP's) are required for the site during construction.
- BC13. Provide Water Quality Management Plan (WQMP) or Alternative Compliance Plan.

Engineering Division Conditions of Approval

- EC1. A final drainage plan with street layouts shall be submitted for review and approval by the Town Engineer showing provisions for receiving and conducting offsite and onsite tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. This plan shall reduce the post-development site-developed flow to 90 percent of the pre-development flow for a 100 year design storm.
- EC2. Street improvement plans shall be submitted to the Town Engineer for review and approval.
- EC3. All interior streets shall be improved to Town standards with curbs, gutters, sidewalks, and street pavement. Minimum residential width of streets shall be 36 feet curb to curb.
- EC4. All streets abutting the development shall be improved a minimum half-width of 28 feet improvements standards with curbs, gutters and sidewalks on the development side.
- EC5. A 40-ft wide (30 half-width plus 10') road dedication along Geronimo Road adjacent to the property shall be granted to the Town of Apple Valley prior to Final Map Approval.
- EC6. An 88-ft wide full-width road dedication along Deep Creek Road within the property shall be granted to the Town of Apple Valley prior to Final Map Approval.

- EC7. Deep Creek shall be improved to the Town's full-width Secondary street standards within the tract boundary.
- EC8. Deep Road shall also be constructed to the Town's Access Road Standard from the south tract boundary to Bear Valley Road and from the north tract boundary to Geronimo.
- EC9. Geronimo Road shall be improved to the Town's half-width Local street standards, within the tract boundaries. Geronimo Road shall also be constructed to the Town's Access Road Standard with A.C. curbs from the tract to the existing paved section of Geronimo Road east of the project.
- EC10. During the grading of the streets, soils testing of the street subgrades by a qualified soils engineering firm shall be performed to determine appropriate structural street section. Minimum asphalt concrete thickness for all streets shall be 0.33 ft.
- EC11. All required improvements shall be bonded in accordance with Town Development Code unless constructed and approved prior to approval and recordation on the Final Map.
- EC12. An encroachment permit shall be obtained from the Town prior to performing any work in any public right of way.
- EC13. Final improvement plans and profiles shall indicate the location of any existing utility, which would affect construction and shall provide for its relocation at no cost to the Town.
- EC14. A final grading plan shall be approved by the Town Engineer prior to issuance of a grading permit. A grading permit shall not be issued until street improvement plans have been submitted to the Town Engineer for review and substantial completion of the street plans has been attained as determined by the Town Engineer.
- EC15. The developer shall form or annex into an assessment district to provide for the ongoing maintenance of the retention basins/drainage channel and parkway landscaping along Deep Creek Road, the trail along the old alignment of Deep Creek Road, and for accessory structures, street lights, shall be formed by the developer prior to final map approval.
- EC16. All street names shall be approved by the Town and such approval shall be coordinated through the Town Engineer.
- EC17. The developer shall present evidence to the Town Engineer that he has made a reasonable effort to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.
- EC18. Utility lines shall be placed underground in accordance with the requirements of the Town.
- EC19. The developer shall make a good faith effort to acquire the required off-site property interests. If the developer fails to acquire those interests the developer shall, at least 120 days prior to submittal of the final map for approval, enter into an agreement to complete the improvements pursuant to Government Code Section 66462 at such time as the Town acquires the property interests required for the improvements. Such agreement shall provide for payment by the developer of all costs incurred by Town to acquire the off-site property interests required in connection with the subdivision. Security for a portion of these costs shall be in the form of a cash deposit in the amount given in an appraisal report obtained by the developer, at the developer's cost. The appraiser shall have been

approved by the Town prior to commencement of the appraisal. Additional security may be required as recommended by the Town Engineer and Town Attorney.

EC20. Traffic impact fees adopted by the Town shall be paid by the developer.

EC21. Any developer fees adopted by the Town including but not limited to drainage fees shall be paid by the developer.

EC22. Any required street striping shall be thermoplastic as approved by the Town Engineer.

EC23. Unimproved Cross lot drainage shall not be allowed.

EC24. The developer shall obtain and submit to the Planning Division prior to occupancy, the following signed statement by the purchasers of the homes located within the Landscape and Lighting Assessment district (subject to final approval by the Town Attorney): "In purchasing the home, I am aware that the home is located in the boundaries of a Landscape and Lighting Assessment District for the maintenance of drainage, landscaping, fencing and other similar improvements and that an annual landscaping maintenance charge shall be levied.

EC25. In the event that an applicant/developer chooses to seek Council approval of the Final Map prior to completion of the required improvements, an "Agreement for Construction of Improvements" shall be required. In accordance with the California Labor Code, any such Agreement will contain a statement advising the developer that certain types of improvements will constitute a public project as defined in California Labor Code, Sections 1720, and following, and shall be performed as a public work, including, without limitation, compliance with all prevailing wage requirements.

EC26. Easements, as required for roadway slopes, drainage facilities, utilities, access to adjacent properties, etc., shall be submitted and recorded as directed by the Town Engineer. No structures shall be placed on any part of the easements except those directly related to the purposes of said easements.

EC27. The detention basins and channel shall be designed to include the Town's Standard Two-Stage drywells.

EC28. The sliver of land located on the southwest corner of Geronimo Road and Deep Creek Road shall be incorporated into the proposed drainage system of the tract. This parcel shall be included into the assessment district at the Town's election.

Public Works Division Conditions of Approval

PW1. You are required to submit a sewer feasibility study to demonstrate how public sewer collection can be provided by the Town of Apple Valley. Contact the Apple Valley Public Works Department (760-240-7000 ext. 7500) for further details.

PW2. Sewage disposal shall be by connection to the Town of Apple Valley sewer system. Financial arrangements, plans and improvement agreements must be approved by the Town of Apple Valley Public Works Department.

- PW3. Construct the sewer collector lines and laterals to each lot to connect to the trunk sewer system or other system as approved in advance by the Town.
- PW4. All existing manholes within project boundaries shall be brought to current Town of Apple Valley Standards. Frame and cover shall be Long Beach Iron Works Inc. X-106E, Alhambra Foundry Inc. LTD. A-1254 or approved equal.
- PW5. Sewer connection fees required.
- PW6. Submit mylars along with three sets of approved plans upon completion of plan check. In addition, the plans must be provided in an electronic format of the Town's choosing. These requirements are the same for the approved plans and the As-Built plans.

Fire Protection District Conditions of Approval

- FD1. The above referenced project is protected by the Apple Valley Fire Protection District. Prior to construction occurring on any parcel, the owner shall contact the Fire District for verification of current fire protection development requirements.
- FD2. All new construction shall comply with applicable sections of the California Fire Code, California Building Code, and other statutes, ordinances, rules, and regulations regarding fires and fire prevention adopted by the State, County, or Apple Valley Fire Protection District.
- FD3. The development and each phase thereof, shall have two (2) points of paved access for fire and other emergency equipment, and for routes of escape which will safely handle evacuations. Each of these points of access shall provide an independent route into the area in which the development is located. This shall be completed prior to any combustible construction.
- FD4. Fire lanes shall be provided with a minimum width of twenty-six (26) feet, maintained, and identified.

Apple Valley Fire Protection District Ordinance 55
- FD5. A turnaround shall be required at the end of each roadway 150 feet or more in length and shall be approved by the Fire District. Cul-de-sac length shall not exceed one thousand (1,000) feet.

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

Apple Valley Fire Protection District Ordinance 55

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

New dwelling addresses shall be posted with a minimum of four (4)-inch numbers visible from the street, and during the hours of darkness the numbers shall be internally

- illuminated. Where building setbacks exceed seventy-five (75) feet from the roadway, additional contrasting four (4)-inch numbers shall be displayed at the property entrance.
- FD7. Plans for fire protection systems designed to meet the fire flow requirements specified in the Conditions of Approval for this project shall be submitted to and approved by the Apple Valley Fire Protection District and water purveyor prior to the installation of said systems.
- A. Unless otherwise approved by the Fire Chief, on-site fire protection water systems shall be designed to be looped and fed from two (2) remote points.
- B. System Standards:
*Fire Flow 500 GPM @ 20 psi Residual Pressure on 8" minimum water main size.
Duration 1 Hour
Hydrant Spacing 660 Feet
- C. The total number of fire hydrants will be to be determined. It is the responsibility of the owner/developer to provide all new fire hydrants with reflective pavement markers set into pavement, and curb identification per Apple Valley Standards.
Install per A.V.F.P.D. Standard Series #101
- FD8. Residences shall be constructed with an automatic fire sprinkler system (NFPA 13D) throughout the structure, including garage. Plans shall be submitted by a licensed C-16 contractor to the Fire District for review and approval along with plan review fees. Fire Sprinkler work shall not commence until plan approval and a job card have been issued. An approved fire alarm system shall be installed that will provide a local alarm for water flow to be audible throughout the premises. **NOTE: The Fire District shall be notified a minimum of 24 hours prior to the desired final inspection date.**
- FD9. A letter shall be furnished to the Fire District from the water purveyor stating that the required fire flow for the project can be met.
- FD10. Apple Valley Fire Protection District Final Subdivision/Tract/Development fees shall be paid to the Fire District prior to final map acceptance according to the current Apple Valley Fire Protection District Fee Ordinance.
- FD11. The developer shall submit a map showing complete street names within the development, to be approved by the Fire District prior to final map.
- FD12. A Knox Box Rapid Entry System shall be required at all gated ingress/egress points within this project.

END OF CONDITIONS

ZONING/LOCATION MAP

Tentative Tract Map No. 20128

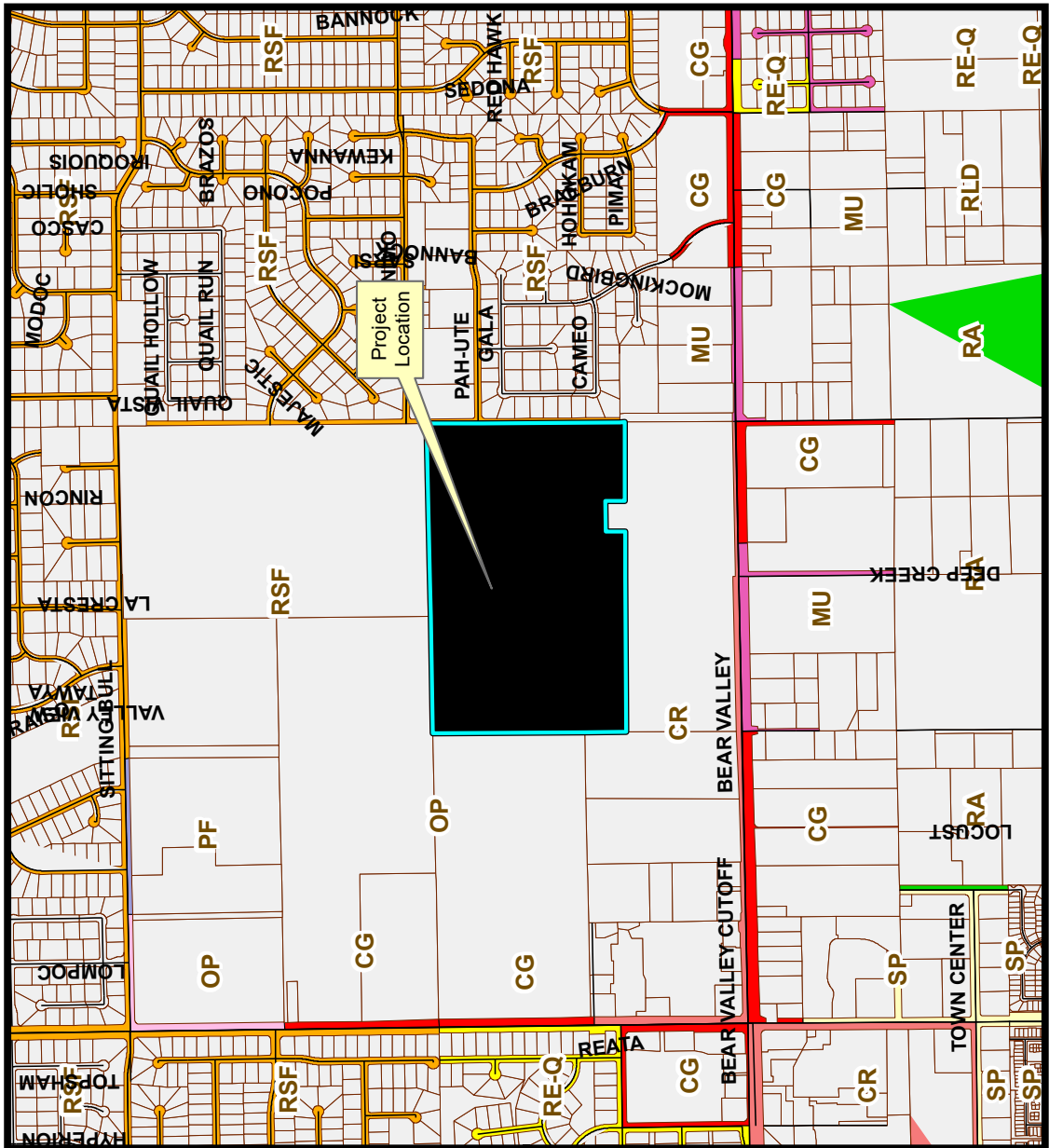
Southwest corner of
 Geronimo Road and
 Deep Creek alignment.
 APN 3087-171-07



Legend

- (RA) Residential Agriculture (1 to 2.5 acres)
- (RLD) Low Density Residential (1 to 2.5 to 5.5 gross acres)
- (RE) Medium Density Residential (1 to 2.5 to 5.5 gross acres)
- (RE-Q) Single Family Residential (1 to 2.5 to 5.5 gross acres)
- (C-SF) Single Family Residential (1 to 2.5 to 5.5 gross acres)
- (C-P) General Commercial
- (C-R) Regional Commercial
- (PF) Public Facilities
- (MU) Mixed Use
- (SP) Specific Plan

Date: 3/1/2018



MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

TOWN OF APPLE VALLEY
MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

Project Title	Tentative Tract Map No. 20128
Assessor's Parcel No.	APN 3087-171-07
Lead Agency Name and Address:	Town of Apple Valley 14955 Dale Evans Parkway Apple Valley, CA 92307
Project Location:	Southwest corner of Geronimo Road and Deep Creek Road alignment.
Project Sponsor's Name and Address:	Frontier Land Holdings Inc.
General Plan Designation(s):	Single Family Residential
Zoning:	Single Family Residential
Contact Person:	Carol Miller Assistant Director of Community Development Town of Apple Valley
Phone Number:	(760) 240-7000, ext. 7222
Date Prepared	February 2018

Description of the Project

Subdivide approximately 101 acres into 137 single-family lots and eleven (11) lettered lots. All lots are single-family residential and will range in size from 18,000 to 42,701 square feet. The average lot size for the project is 20,607 square-feet.

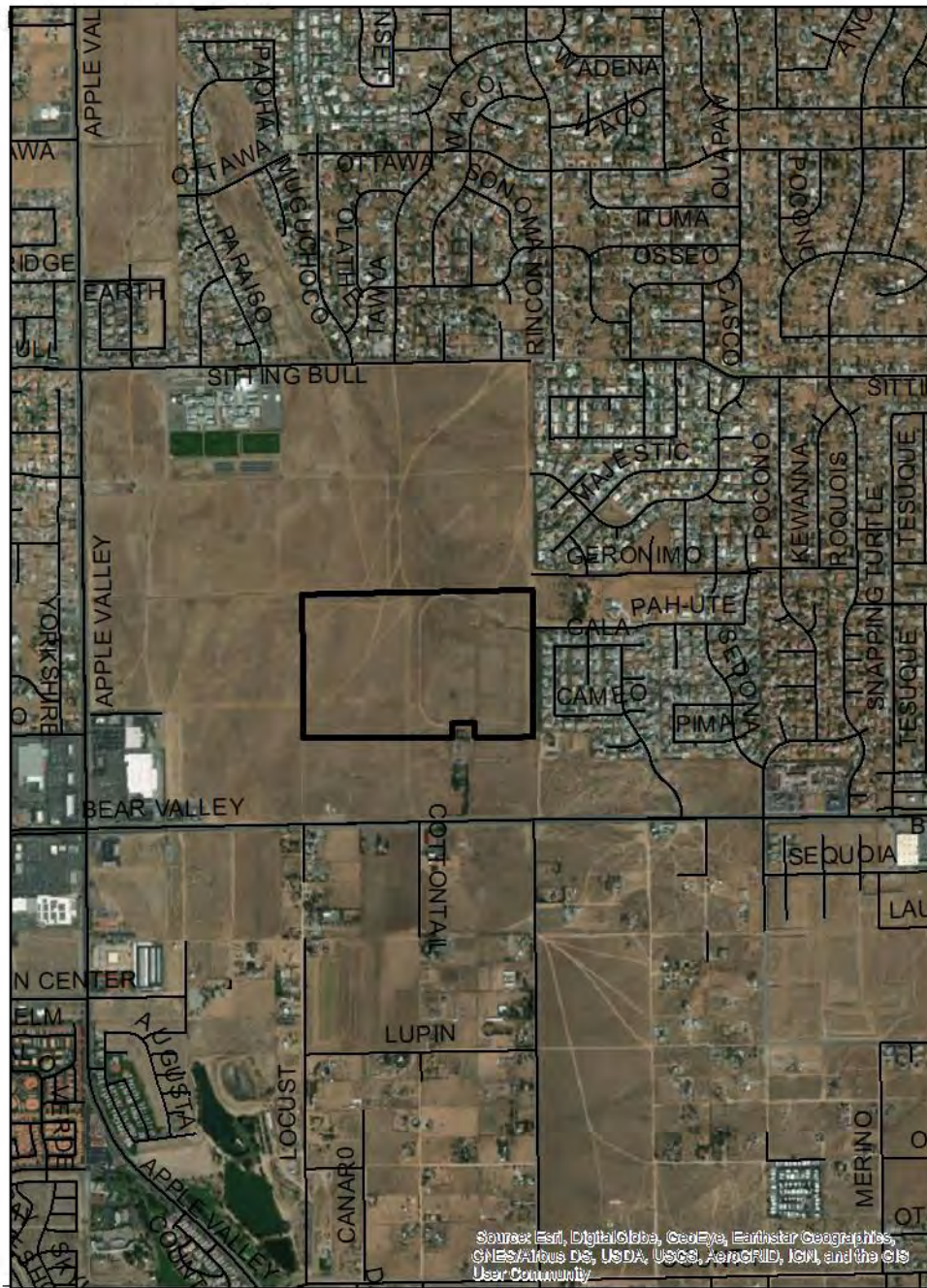
Environmental Setting and Surrounding Land Uses

The subject site is the site of a former horse track and stables. The parcel is bordered on the north and west by vacant lands, and these areas have been disturbed by past agricultural activities. A school is located to the northwest of the site and a residential development borders the site to the east. A few dwellings are located to the south.

Other public agencies whose approval is required

None

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

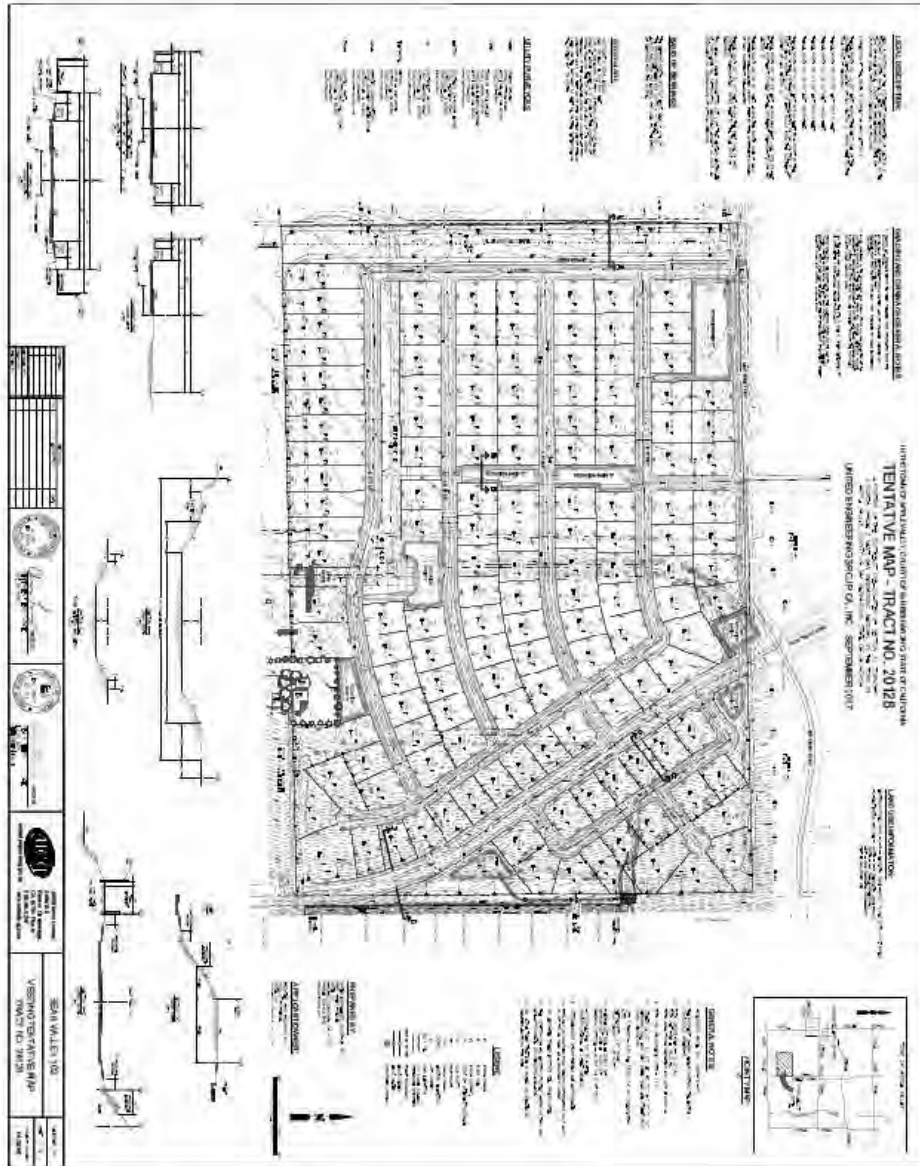


Town of Apple Valley
February 2018

Tentative Tract Map No. 20128
Mitigated Negative Declaration/Initial Study

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

Exhibit 2 – Tract Map



MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding site-specific discussion on the following pages.

- | | | |
|---|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

DETERMINATION: The Town of Apple Valley Planning Department has determined, on the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Carol Miller

Date

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

PURPOSE OF THIS INITIAL STUDY

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

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 project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, 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 may be 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 XVI, "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 Analysis 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

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

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) 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 impacts to less than significance.

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

I. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

- a. **Less Than Significant Impact.** The proposed project is not located within a Scenic Corridor. However, there are views of the San Bernardino Mountains to the south and southeast provide the dominant scenic vistas from the project site. Other smaller scale mountain ranges are also visible from the project site. The development of the proposed project would result in the construction of 137 single-family dwelling units. The construction of the proposed dwelling units may obstruct views of the mountains for nearby residences located to the east, west, and north of the site. However, the proposed project is of similar size and scale to the existing residential development already in the area and it would not result in a substantial adverse effect on a scenic vista. Therefore, impacts to scenic vistas are considered less than significant.
- b. **Less Than Significant Impact.** The proposed project will not substantially damage scenic resources, including, but not limited, trees, rock outcroppings, and historic buildings within a state scenic highway, because the site is not adjacent to a state scenic highway and there are no rock outcroppings or historic buildings on the site. The topography of the proposed project site and surrounding area is relatively flat. However, the site does slope downward to the west-northwest with approximately sixty feet of elevation differential across the site. The site is not located within a State scenic highway as identified by California Department of Transportation. There are no State designated scenic highways located within, on, adjacent to, or near the project site. Therefore, development of the project would not damage scenic resources within a State scenic highway.
- c. **Less Than Significant Impact.** The proposed project site is a historic-era horse track and stables. It is now a vacant site with scattered weeds. Completion of the proposed project would result in the development of residential uses on the site. The proposed project will comply with existing Development Code Section 9.31.030 Single Family Architectural Design Standards. For these reasons, the ultimate development of single family dwellings would not result in degradation of the existing visual character of the proposed project site. Therefore, impacts are considered less than significant.
- d. **Less Than Significant Impact.** Development of the project site would introduce a new source of light and glare in the area in the form of street lighting and outdoor lighting on residential units.

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

While implementation of the proposed project is expected to result in increased light and glare in comparison with the existing undeveloped nature of the project site, the introduction of light and glare associated with residential uses would be similar to that already occurring in the area. Additionally, the proposed project would be required to adhere to Town standards related to development, including lighting standards contained in the Town's Development Code, Chapter 9.70 Performance Standards, Section H, Light and Glare and Town of Apple Valley Dark Sky Policy. Compliance with Town requirements including the Development Code and the Town's design review would reduce the impact of the light sources to off-site locations to a less than significant level.

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

II. AGRICULTURAL 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 Incorporated	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 by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-e **No Impact.** The proposed project will have no impact to agricultural resources, including Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. There are no agricultural land uses within the subject property.

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

- d. **No Impact.** The site does not contain forest land as defined in Public Resources Code section 12220(g) or timberland as defined in Gov't Code section 51104(g).

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

Discussion of Impacts

a. **Less than Significant:** Basin-wide air pollution levels are administered by the Mojave Desert Air Quality Management District (MDAQMD). The 2016 Ozone Attainment Plan provides a program for obtaining attainment status for ozone based on existing and future air pollution emissions resulting from employment and residential growth projections. The project site has been planned for residential use as indicated in the Town's General Plan and Zoning Code. The density has been planned for under the adoption of "Measure N" within the Town. As such, the proposed on-site uses have been included in growth projections for the Town of Apple Valley, which were subsequently used as input in the formulation of the approved Ozone Attainment Plan. Therefore, the proposed project is consistent with the MDAQMP and would not hinder implementation of its programs.

b,d **Less than Significant with Mitigation:** The project site is located within the Mojave Desert Air Basin (MDAB). Air quality regulations in the MDAB is administered by the MDAQMD. The MDAB is

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

designated as a nonattainment area for both Federal and State ozone and PM10 standards. The MDAB is in attainment with all other criteria pollutants for both Federal and State standards.

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

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

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

Mitigation Measures

- AIR-1** The construction contractor shall select the construction equipment used on site based on low emission factors and high energy efficiency. The construction contractor shall ensure that construction grading plans include a statement that all construction equipment will be tuned and maintained in accordance with the manufacturer's specifications.
- AIR-2** The construction contractor shall utilize electric- or diesel-powered equipment in lieu of gasoline-powered engines where feasible.

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

- AIR-3** The construction contractor shall ensure that construction grading plans include a statement that work crews will shut off equipment when not in use.
- AIR-4** The construction contractor shall time the construction activities so as not to interfere with peak-hour traffic and to minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flag person shall be retained to maintain safety adjacent to existing roadways.
- AIR-5** The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew.

- c. **Less than Significant Impact:** Air pollution emissions would be produced during the construction phase of the project. The Mojave Desert Air Basin (MDAB) is in non-attainment for PM10, PM2.5, and ozone at the present time. The EPA has classified the portion of the MDAB in which the project is located as moderate non-attainment for the 8 hour ozone standard, non-attainment for the Federal and State PM10 standards, and non-attainment for the State PM2.5 standards. The Mojave Desert Air Quality Management District (MDAQMD) maintains ambient air quality monitoring stations throughout its portion of the MDAB. The air quality monitoring stations within the MDAB closest to the site are the Victorville Station and the Hesperia Station. These stations over the past three years have detected ozone levels that often exceed the State (one-hour) and Federal (8 hour standards). PM10 and PM2.5 levels never exceeded the Federal 24-hour and annual standards and rarely exceeded the State 24-hour annual standards during the past three years. CEQA defines a cumulative impact as two or more individual effects that together are considerable or that compound or increase other environmental impacts. Fugitive dust and pollutant emissions may be generated during the construction and operational phases of the proposed project. However, implementation of the recommended Mitigation Measures AIR-1 through AIR-5 identified above would ensure that the proposed project would have a less than significant impact on air quality. Because impacts would be reduced to less than significant levels with mitigation, the proposed project would not incrementally contribute to potential cumulative impacts related to these issues. The emissions associated with the proposed project are expected to be within the amounts already accounted for in the MDAB AQAP, as addressed within IIIa.

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

Source: Town of Apple Valley General Plan EIR.

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

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

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

IV. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

- a. **Less than Significant Impact.** The analysis of the project's effect on candidate, sensitive, or special status species is based on the *Biological Survey Report* dated September 15, 2018, completed by RCA Associates, Inc. (RCA). Protected sensitive species are classified by either State or Federal resource management agencies, or both, as threatened or endangered.

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

under provisions of the State and Federal Endangered Species Acts. RCA conducted a focused biological assessment of the proposed project site. Biological surveys were conducted for the desert tortoise (*Gopherus agassizii*), Mohave ground squirrel (*Spermophilus mohavensis*), burrowing owl (*Athene cunicularia hypugaea*), sharp-shinned hawk (*Accipiter striatus*), and loggerhead shrike (*Lanius ludovicianus*). According to RCA Associates, the project area have been significantly disturbed by past human activities. Therefore, the loss of the vegetation on the site is not considered to be a significant impact.

Various species of wildlife may occur on the parcels. Coyotes were the only mammals seen during the surveys conducted by RCA. Mammals possibly occurring on the site as residents or transients include jackrabbits (*Lepus americanus*), white-tailed antelope ground squirrels (*Ammospermophilus leucurus*), Merriam's 1 Federal Clean Air Act, 1990. kangaroo rats (*Dipodomys merriami*), and deer mice (*Peromyscus maniculatus*). Several birds were observed during the surveys including ravens (*Corvus corax*), sage sparrows (*Amphispiza belli*), American robin (*Turdus migratorius*), mourning doves (*Zenaida macroura*), and a red-tailed hawk (*Buteo jamaicensis*). A few side-blotched lizards (*Uta stansburiana*), western whiptail lizards (*Cnemidophorus tigris*), and desert spiny lizards (*Sceloporus magister*) were observed during the surveys. These species are not listed as threatened, endangered, or sensitive.

- b. **No impact.** Riparian habitat includes willows, mule fat, and other vegetation typically associated with the banks of a stream or lake shoreline. No riparian habitat exists on site. In addition, there are no other sensitive natural communities or habitats present on the project site. Therefore, no impact associated with this issue will occur.
- c. **No impact.** The project site does not contain any drainage features under the jurisdiction of the U.S. Army Corps of Engineers or other Federal agencies. Therefore, implementation of the proposed project will not result in an impact associated with federally protected wetlands.
- d. **Less than Significant Impact.** Neither the sharp-skinned hawk nor loggerhead shrike was observed on the project site, nor are there documented sightings of either species within the Apple Valley North quadrangle. The sharp-skinned hawk occurs primarily in woodland habitats, usually close to open areas where the species may forage. The project site does not support any woodland areas, nor are there any dense stands of trees adjacent to the site. Loggerhead shrikes typically prefer open habitats with scattered shrubs, trees, and other potential perch sites. The species is a relatively common resident in the High Desert and has been observed in the general area. The mobility of these species does not preclude it from occurring on the site in the future.
- e. **Less than Significant Impact.** The site does not contain Joshua trees, according to surveys conducted by RCA, due in part to the numerous years the site has been utilized for agricultural uses. Therefore, impacts related to this issue are less than significant.
- f. **Less than Significant Impact.** Areas of valuable habitat that support special status species are illustrated in the Biological Resources Study of the Town's General Plan EIR. The General Plan includes policies and programs intended to ensure that habitat connectivity is preserved in the Town. In addition, a number of special survey areas in the Town's planning area are identified in the General Plan. Species for which surveys are required as part of development applications include Desert Tortoise, Mojave Ground Squirrel, Burrowing Owls, Joshua Trees, and/or Migratory/Nesting/Other Protected Birds. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan because no such plan has been adopted in the area of the project site. However, the Town has a draft Multi-Species Habitat Conservation Plan, and at such time the site is to be developed, the project will be subject to the mitigation measures identified in the MHCP.

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

V. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5 or Tribal Cultural Resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

- a. **Less than Significant Impact.** A cultural resources assessment of the proposed project site was conducted by RCA Associates September 29, 2017. A field survey of the site was performed on September 14, 2017. The remnants of a historic-era horse track and stables have been previously documented, but do not meet the criteria. Therefore, development of the site would be considered a less than significant impact and no mitigation is necessary.
- b. **Less than Significant Impact.** Field survey investigation conducted by RCA Associates on September 14, 2017 did not identify any cultural resources, including prehistoric or historic archaeological sites within the project boundary. The study also included outreach and consultation with Native American Tribes. In addition, the Town completed Tribal consultation, pursuant to the requirements of Assembly Bill 52. The San Manuel Band of Mission Indians (SMBMI) indicated that the site is within the Tribe's ancestral territory and concluded that that the project caused minimal amount of new ground disturbance and, as a result had no concerns with the project as planned. SMBMI did request language be added to the Conditions of Approval in the event human remains or cultural resources are found.
- c. **Less than Significant Impact.** A Paleontological Resources Assessment of the proposed project site was prepared by Duke Cultural Resources Management Dated December 15, 2017. The assessment determined that the sensitivity for paleontological resources was high. The unearthing and damage of these resources would represent a potentially significant impact, without mitigation.

Mitigation Measures:

- V.1 A qualified paleontological monitor shall be on site at the pre-construction meeting to discuss monitoring protocols.
- V.2 A paleontological monitor shall be on site to observe any ground disturbing activities. If no paleontological resources are observed after 2 weeks, paleontological monitoring may be reduced to part time or spot checks. The monitor shall be empowered to stop or redirect earth moving activities if a resource is identified.

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

- V3. Should a resource be discovered, the monitor shall flag the area and notify the construction crew immediately. No further disturbance in the flagged area shall occur until the project paleontologist has cleared the area. In consultation with the project paleontologist the paleontological monitor shall quickly assess the nature and significance of the find. If the specimen is not significant it shall be quickly removed, and the area shall be cleared.
- V4. If the discovery is significant the paleontologist shall notify the applicant and the Town immediately.
- V5. Should a resource be identified, the monitor shall make recommendations regarding the measures needed to protect the resource. Any and all recommendations included in the study shall be implemented by the Town and/or the developer.

Mitigation Monitoring Program

- V.A The project proponent shall provide the Town with an agreement with a qualified monitor. The Town shall assure that the monitor is on site during earth moving activities.
Responsible Party: Planning Department
Timing: Receipt of agreement prior to issuance of grading permit and on site inspections.
- VB. Within 30 days of completion of monitoring, the monitor shall prepare, and deliver to the Town, a report of his/her findings.
Responsible Party: Planning Department

d. **Less than Significant Impact.** The proposed project site is not known to have been utilized for religious or sacred purposes. No evidence is in place to suggest the project site has been used for human burials. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. As adherence to State regulations is required for all development, no mitigation is required in the unlikely event human remains are discovered on-site. Impacts associated with this issue are considered less than significant.

VI. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

VI. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

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

Source: Town of Apple Valley, General Plan EIR

a(ii) **Less than Significant Impact.** Like all of southern California, the Mojave Desert is a seismically active region. According to the geotechnical investigation prepared for the project, the faults most likely to affect the project site are the North Frontal, Helendale-Lockhart, Lenwood-Lockhart, San Andreas, Cucamonga, Cleghorn, and Landers fault zones. The proposed project site is located in a seismically active area and, therefore, will continue to be subject to ground shaking resulting from activity on local and regional faults.

a(iii) **Less Than Significant Impact.** Liquefaction occurs when groundwater is located near the surface (within 50 feet), and mixes with surface soils during an earthquake. The

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

Geotechnical Study prepared by Geotek Inc dated May 30, 2017 indicates the site is not included within any geologic hazard map as being located within an area with a liquefaction hazard and is not considered a hazard due to the great depth to groundwater. Impacts associated with liquefaction are less than significant.

- a. (iv). **No Impact.** The site is currently undeveloped vacant land that has been significantly disturbed due to past agriculture activities, vehicular and pedestrian use, and as such the extent of native vegetation is limited. The site is relatively flat on the western half of the site and has gentle to moderate sloping terrain in the eastern half of the site.

- b. **Less than Significant Impact.** The proposed project will require the excavation, stockpiling, and movement of on-site soils to create the residential pads and proposed new roadways. Currently, construction projects resulting in the disturbance of 1.0 acre or more are required to obtain a National Pollutant Discharge Elimination System (NPDES) permit issued by the Regional Water Quality Control Board (RWQCB). The project's construction contractor will be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) that identifies Best Management Practices (BMPs) to limit the soil erosion during project constructions. Adherence during construction to provisions of the NPDES permit and applicable BMPs contained in the SWPPP will ensure that potential impacts related to this issue are less than significant.

- c. **Less than Significant Impact with Mitigation.** As discussed above, the proposed project site is considered to have a low potential for liquefaction. Based on testing performed during the geotechnical investigation, the potential for hydro-collapse at the project site is negligible. Subsidence is generally associated with large decreases or withdrawals of water from the underlying aquifer. The proposed project does not include wells or other uses that will withdraw groundwater. Subsidence of older alluvial materials at the project site is estimated to be 0.05 foot. Additionally, the artificial fill and windblown sand of older alluvium at the site (generally the upper one to three feet and locally up to seven to ten feet) are considered unsuitable to support pavement, fill, structures, walls, or other improvements in their current state. As such, the proposed project site could result in significant impacts related to unstable soil. The implementation of Mitigation Measures GEO-2 and GEO-3, and adherence to the UBC, CBC, and Town design and engineering standards would ensure impacts associated with unstable soil remain less than significant.
Mitigation Measures
GEO-2 The design and construction of the proposed on-site uses shall adhere to the recommendations identified in the geotechnical investigation prepared for the proposed project site, or as determined appropriate by the Town, the standards and requirements established in the UBC.
GEO-3 The requirements and recommendations for earthwork, grading and seismic parameters included within the Geotek Inc investigation dated May30, 2017, shall be incorporated into the proposed project.

- d. **No Impact.** As identified in the geotechnical study, the soils within the project site are not expansive. The study confirmed that expansive soils do not occur on the site. No impact is anticipated.

- e. **No Impact.** The proposed project will 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.

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

VII. GREENHOUSE GAS EMISSIONS	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

a-b. **Less Than Significant Impact.** Both construction and operation of the project will generate greenhouse gas (GHG) emissions. Construction emissions will be generated by a variety of sources, including the operation of construction equipment and energy usage. Construction impacts will be temporary and will end once the project is complete. Typically, they can be minimized by limiting idling times, proper maintenance of heavy machinery, and efficient scheduling of construction activities. Long-term operation of the project will generate GHG emissions from area sources, energy and water usage, mobile sources, and waste disposal.

The project will not exceed the threshold for GHG emissions. Statewide programs and standards, including new fuel-efficient standards for cars and expanding the use of renewable energies, will help reduce GHG emissions over the long-term. The project will be required to comply with standards and regulations for reducing GHG emissions, including the Town's Climate Action Plan and other GHG reducing strategies, including high efficiency HVAC and high efficiency fans. The proposed project will also be required to comply with Title 24 of the California Building Code. These standard requirements and Town initiatives will ensure that GHG emissions from the project are less than significant.

VII. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

VII. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
waste within one-quarter mile of an existing or proposed school?				
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 checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion of Impacts				
a,b	No Impact. The proposed project consists of the construction of residential properties. This land use will not involve the production, storage, or distribution of hazardous substances except normally occurring household hazardous wastes (such as cleaning products and paints). The range of land use activities proposed on the project site would not allow for the use, storage, disposal, or transport of large volumes of toxic, flammable, explosive, or otherwise hazardous materials that could cause serious environmental damage in the event of an accident. No impact anticipated.			
c.	No Impact. As the proposed development includes only residential dwelling units, which do not emit hazardous emissions or handle hazardous materials, no impacts associated with this issue are 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.			

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

- e. **No Impact.** The subject areas are not located in the vicinity of a designated airport land use, nor within a two-mile radius of a public airport; therefore, no hazards are known to impact public safety.
- f. **No Impact.** The subject areas are not located within the vicinity of a private airstrip.
- g. **Less than Significant Impact.** Implementation of the proposed project will increase the number of residential dwelling units within the Town. Development of the proposed project will generate an increase in the amount and volume of traffic on local and regional networks. The developers of the proposed project will be required to design and construct applicable roadways to comply with applicable local, regional, State and/or Federal requirements related to emergency access and evacuation plans. Construction activities, which may temporarily restrict vehicular traffic, will be required to implement measures to facilitate the passage of persons and vehicles through/around any required road closures. Adherence to these measures will reduce potential impacts related to this issue to a less than significant level.
- h. **No Impact.** According to the Town's General Plan, the project areas are not located within a Fire Hazard Area or within an area susceptible to wildfires. The lands are within developed neighborhoods with only; therefore, no impact is anticipated.

III. HYDROLOGY AND WATER QUALITY

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

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

III. HYDROLOGY AND WATER QUALITY	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a.f. **Less than Significant Impact.** The proposed project will be required to connect to the Town's domestic water and sanitary sewer systems. Liberty Utilities provides water service to the site, and the Victor Valley Wastewater Reclamation Authority provides sanitary sewage treatment for the site. Both these agencies are required to comply with the requirements of the State Regional Water Quality Control Board relating to water quality standards and wastewater discharge requirements. Furthermore, as a development project with a disturbance area of greater than 1 acre, and a significant increase in impervious surfaces, the Applicant will be required to obtain coverage under the State Water Resources Control Board (SWRCB) Construction General Permit and be consistent with the General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems.

The Construction General Permit requires the development and implementation of a stormwater pollution prevention plan (SWPPP), which would include and specify water quality best management practices (BMPs) designed to prevent pollutants from contacting stormwater and keep all products of erosion from moving off site into receiving waters. Routine inspection of all BMPs is required under the provisions of the Construction General Permit, and the SWPPP must be prepared and implemented by qualified individuals as defined by the SWRCB. The project applicant must submit a Notice of Intent (NOI) to the SWRCB to be covered by a NPDES permit and prepare the SWPPP prior to the beginning of

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

construction. The applicant will be required to provide the Town of Apple Valley with its waste discharge identification number (WDID) as evidence that it has met the requirements of the Construction General Permit prior to beginning construction activities.

SWRCB permits require through a combination of specific plan design standards, drainage impact fees, and general Mitigation Measures. As compliance with these permits would be required as a condition to receive authorization to construct, no impact is expected.

b. **Less than Significant Impact.** The project will not 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 because the project is served by an existing water purveyor that has indicated that there is currently sufficient capacity in the existing water system to serve the anticipated needs of the project.

c-e. **Less than Significant Impact.** The existing surface drainage on the site follows the surface contours that drain to the north and west via sheet flow. An existing broad drainage course traverses north toward Sitting Bull Road in the westerly portion of the project site. The project site drains westerly toward this drainage course. Development east of the logical extension of Deep Creek Road has occurred in which areas from the properties drain to the project site. The Town of Apple Valley Master Plan of Drainage includes creating a broad drainage course on the westerly portion of the project site. A portion of this master plan facility, which consists of a retention/detention basin, has been constructed north of Sitting Bull Road. The project will include a drainage plan that will accommodate the off-site flows from the existing development to the east. A storm drain system will be constructed as part of the proposed project to carry the flows to the proposed master plan facility. For these reasons, impacts associated with drainage patterns for the project site are considered less than significant.

g-j: **No Impact.** The proposed project is not located in a flood zone, and does not propose residential development. The proposed project will have no impact on 100 year flood plain hazards.

IX. LAND USE AND PLANNING

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

Discussion of Impacts

a,b: **No Impact.** The project proposes development on vacant land adjacent to existing and proposed residential developments on the north and east. The project represents a

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

continuation of the surrounding residential uses. Development of the site will not divide an existing neighborhood, nor would it introduce a barrier between residential uses. Therefore, no impacts associated with physically dividing an established neighborhood are anticipated.

- c. **Less than Significant Impact** The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan because no such plan has been adopted in the area of the project site; however, the Town has a draft Multi-Species Habitat Conservation Plan. At such time the site is to be developed, the project will be subject to the mitigation measures identified in the MHCP.

X. MINERAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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"/>
Discussion of Impacts				
a. No Impact. The sites are not designated as a State Aggregate Resource Area according to the General Plan FEIR; therefore, there is no impact.				
b. No Impact. The sites are not designated by the General Plan as a Mineral Resource Zone; therefore, there is no impact.				

XI. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

XI. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a. **Less than Significant Impact with Mitigation.** Sensitive receptors within the project vicinity that may be affected by increased noise levels associated with the proposed project include single-family residences to the east, undeveloped land to the north and west, and Sitting Bull elementary and Sitting Bull Middle School to the northwest. These sensitive land uses may be potentially affected by noise generated during construction and operation of the proposed project. As addressed within the Noise Impact Study, the proposed project has the potential to cause noise levels to exceed the standards within the Town Code during construction and operational phases. Short-term noise increases from the proposed project would be generated during grading and construction activities. These activities would be short-term and would be subject to the construction activity restrictions in the Town Code. Construction of the proposed project would potentially result in noise levels exceeding the maximum noise level allowed at the closest residences. In addition, operational noise impacts would occur from traffic-related noise conditions in the vicinity of the project site. Traffic noise impacts would occur with operation of the proposed project that would create new vehicular traffic within the project site and expose on-site residential uses to traffic noise levels exceeding the exterior noise standard of 65 dBA CNEL and/or the interior noise standard of 45 dBA CNEL from traffic on Deep Creek Road. With implementation of the identified mitigation measures, potential

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

short-term construction and long-term operational noise impacts would be reduced to below a level of significance.

Mitigation Measures

Short-Term Construction-Related Impacts. The following measures would reduce short-term construction-related noise impacts associated with the proposed project:

- N-1** The construction contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- N-2** The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors to the west of the site.
- N-3** The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors to the west of the site during all project construction.
- N-4** All construction, maintenance, or demolition activities within the Town's boundary shall be limited to the hours of 7:00 a.m. – 7:00 p.m. of any working day Monday through Friday, and all construction, maintenance, or demolition activities shall be prohibited on Saturdays, Sundays and holidays. Exceptions to these standards may be granted by the Town Council.

Traffic Noise Impacts. The following mitigation measure would reduce long-term traffic noise impacts associated with the proposed project:

Mitigation Measures. Lots adjacent to Deep Creek Road.

- N-5** A minimum 3-6-foot tall CMU wall (or equivalent, minimum 3.5 lbs/ sq ft of face area) shall be constructed for Lot No. 8-11, 110-119, 120-126. Wall height will depend on the lot location (refer to Exhibit E of Noise Impact Study for location). The effective wall height must be positioned either on top of the slope or above the pad elevation (whichever is taller). Recommended barrier must be present solid face from top to bottom. Preventable openings or decorative cutouts shall be avoided. All gaps (except for weeping holes) shall be filled with grout or caulking to avoid noise flanking.
- N-6** The project site will require a minimum 25 dB of noise reduction. To achieve 25 dB noise reduction, all first row, 1st floor residential facades (Lot Nos. 8-11, 110-119, 120-126) directly facing Deep Creek Road will require a minimum STC rating of 25. All first row, 2nd floor residential facades (Lot Nos. 8-11, 110-119, 120-126) directly facing Deep Road will require a minimum STC rating of 28. For proper acoustical performance, all exterior windows, doors, and sliding glass doors must have positive seals and weather stripping, and leaks/cracks must be kept to a minimum.

Source: MD Acoustics, Noise Analysis, November 8, 2017, and Town of Apple Valley Development Code, 9.73.050

- b. **Less than Significant Impact.** Construction of and operation of the uses associated with this type of project do not induce substantial groundborne vibrations. As such, a less than significant impact is anticipated.
- c. **Less than Significant Impact with Mitigation.** As addressed in response X1a, the proposed project would generate new traffic, which has the potential to increase the ambient noise level in the project vicinity. With implementation of mitigation measures N-5 and N-6, potential

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

long-term noise impacts resulting from the proposed project would be reduced to a less than significant impact.

Source: MD Acoustics, Noise Analysis, November 8, 2017

- d. **Less than Significant Impact with Mitigation.** As addressed in response XIa, the proposed project would temporarily increase ambient noise levels during the construction. With implementation of mitigation measures N-1 through N-4, potential short-term noise impacts resulting from the construction of the proposed project would be reduced to a less than significant level.
- e.f. **No Impact.** The subject areas are not located in the vicinity of a designated airport land use, private airstrip, or within two-mile radius of a public airport; therefore, no impact is anticipated.

XII. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a. **Less than Significant Impact.** The proposed project site consists of the construction of 137 dwelling units. These new dwelling units would induce population growth to the area. The proposed project site is currently designated as residential use in the General Plan. The proposed residential uses meet the Town's goal of providing housing opportunities for the increasing population within the Town of Apple Valley. As the proposed project is consistent with and has been anticipated by the Town's General Plan, a less than significant growth inducing impact would be associated with development of the project site.
Source: Apple Valley General Plan, Housing Element.
- b. **No Impact.** The proposed project site is currently vacant and, therefore, no displacement of housing or residents will occur. Replacement housing will not be required and no impact associated with this issue will occur.
- c. **No Impact.** The proposed project site is currently vacant. As such, the development of the project will not displace substantial numbers of people or necessitate the need for construction of replacement housing elsewhere. No impact associated with this issue will occur.

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

XIII. PUBLIC SERVICES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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:					
a)	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a. **Less than Significant Impact.** Fire service would be provided to the project uses by the Apple Valley Fire Protection District. The proposed project is located approximately one and one half miles from Station No. 334 located at 12143 Kiowa Road and Station No. 336 located at 19235 Yucca Loma Road. Due to the close proximity of the two fire stations, the proposed project would be within the standard respond times of the Fire Protection District. However, as with any new development, the proposed project would increase the need for fire protection services within the Town. As a result, the applicant for the construction of the new dwelling units will be required to pay applicable fire service fees prior to occupancy. The payment of fees satisfies the requirements for development impacts on fire services. With the payment of the fire service fee, potential impacts related to the provision of fire services would be reduced to a less than significant level.
Source: Town of Apple Valley, General Plan EIR
- b. **Less than Significant Impact.** The Town of Apple Valley provides law enforcement services for residents and businesses within the Town limits via a contract with the San Bernardino County Sheriff's Department. The Sheriff station is located at 14931 Dale Evans Parkway. Based on the projected increase in population at build-out, the project does not warrant an additional police officer. Further, the construction of new dwelling units will be required to pay applicable law enforcement facilities fee prior to occupancy. The payment of fees satisfies the requirements for development impacts on police facilities. With the payment of the law enforcement facilities fees, potential impacts related to the provision of police services would be reduced to a less than significant level.
Source: Town of Apple Valley, General Plan EIR and Building & Safety Impact Fee Schedule
- c. **Less than Significant Impact.** Implementation of the proposed project will lead to the construction of 137 residential dwelling units that would generate school-aged children. The

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

Apple Valley Unified School District would serve the project site. The nearest schools to the proposed project include Sitting Bull Elementary School, Sitting Bull Middle School, Apple Valley High School, and Willow Park High School. Section 65995 of the California Government Code requires developers to pay a onetime fee for school capital acquisitions and improvements and prohibits state or local agencies from imposing school impact mitigation fees, dedications or other requirements in excess of those provided in the statute. As such, the applicant for the construction of the new dwelling units proposed in the project is required to pay applicable school fees prior to occupancy. The payment of fees satisfies the requirements for the development impacts on school facilities. With the payment of school impact mitigation fees, potential impacts related to the provision of schools would be reduced to a less than significant level.

Source: Town of Apple Valley, General Plan EIR

- d. **Less than Significant Impact.** The proposed development of approximately 168 dwelling units would increase the current population by approximately 504 persons. The increase in population would result in increased demand for and use of local parks. In order to reduce potential impacts upon local parks, the proposed project shall be required to dedicate land to pay its fair share for park facilities. As proposed the map is providing a ten (10) acre park site. Through the parkland dedication and development impacts on park facilities would be reduced to less than significant.
- e. **Less than Significant Impact.** The development will not exceed demand that has been previously considered in The Town's General Plan EIR.

XIV. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

- a,b. **Less than Significant Impact.** The project proposes development of 137 dwelling units, which would increase the current population. This population increase may result in impacts to local and regional park facilities. The project site is located in close proximity to many regional recreational opportunities. There is a total of thirteen (13) local parks within the Town's jurisdictional boundaries. Four (4) of the thirteen (13) parks are located approximately 2.5 miles from the project site and would be used by residents within the proposed project. These parks include Norm Schmidt Memorial Park, Mendel Park, Yucca Loma Park, and the James A. Woody Community Center. This is a request to subdivide approximately 101 acres into 137 single-family residential lots in the Residential Single-Family (R-SF) zoning designation for future residential development. This will increase the use of existing neighborhood and regional parks or other recreational facilities. Per the Town Code, the Park Development fee will be assessed per dwelling unit. The proposed project does not include recreational

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

facilities and would not induce the need for any construction or expansion of recreational facilities. No impact is anticipated.

XV. TRANSPORTATION/TRAFFIC

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

Discussion of Impacts

- a,b. **Less than Significant Impact** Access to the site will be provided via Deep Creek Road and Geronimo Road west to Apple Valley Road. Regional access to the site is provided by Interstate 15 via an interchange on Bear Valley Road. The proposed project would increase the existing traffic load along these these roadways as well as impact others within the vicinity of the project site. The roadway adjacent to the development will be required to be improved to the Town's road standards and is consistent with the Circulation Map. The project requires payment of traffic impact fees to reduce regional traffic impacts. Therefore, there will be a less than significant impact.
- c. **No Impact.** The proposal will not affect air traffic patterns.

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

- d. **No Impact.** The project does not include the construction of any sharp curves. The new intersections to be created as part of the project align with existing roadways. As the project does not include the construction of any structure or feature that will create a substantial increase in hazards due to a design feature, no impacts are anticipated.
- e. **No Impact.** The project will be designed to provide access for all emergency vehicles and, therefore, will not create inadequate emergency access. Primary access would be provided via Sitting Bull and Deep Creek Road. Secondary access routes Skyline Drive and Geronimo Road. The nearest emergency evacuation/access is Bear Valley Road, located south of the site. The Apple Valley Fire Protection District will review the TTM for adequate emergency access and development requirements as conditions of approval. No impacts are anticipated.
- f. **No Impact.** At the time of development of the lots, the project is required to comply with the Development Code standards to meet parking capacity that includes a minimum two (2)-car enclosed garage for each residential dwelling unit with driveway access from the public right-of-way. Therefore, the project will not result in inadequate parking capacity and no impact will occur.
Source: Town of Apple Valley Development Code, Off-Street Parking and Loading Regulations
- g. **No Impact.** The project design provides ample area for pedestrian access. The project does include the installation of a multi-use trail on Deep Creek Road which encourages and support alternative transportation and would not interfere with any existing or proposed bus stops. Victor Valley Transit provides bus service to the Town. No impact is anticipated.

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

XVII. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-b. **No Impact:** Field survey investigation conducted by RCA Associates on September 14, 2017 did not identify any cultural resources, including prehistoric or historic archaeological sites within the project boundary. The study also included outreach and consultation with Native American Tribes. In addition, the Town completed Tribal consultation, pursuant to the requirements of Assembly Bill 52. The San Manuel Band of Mission Indians (SMBMI) indicated that the site is within the Tribe's ancestral territory and concluded that the project caused minimal amount of new ground disturbance and, as a result had no concerns with the project as planned. SMBMI did request language be added to the Conditions of Approval in the event human remains or cultural resources are found.

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

XVI. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
of which could cause significant environmental effects?				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

Discussion of Impacts

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

Mitigation Measure

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

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

- b,e. **Less than Significant Impact.** As previously discussed, wastewater treatment services to the project would be provided by the VVWRA. The VVWRA is a California Joint Powers Authority that owns and operates regional wastewater collection and treatment facilities which services the Victor Valley. For the construction of the new dwelling units, the project is required to satisfy RWQCB and VVWRA payment of fees. The payment of fees satisfies the requirements for the development impact on wastewater treatment facilities. For these reasons, impacts to wastewater treatment facilities would be less than significant. The proposed project water services are provided by Liberty Utility.
- c. **Less than Significant Impact.** Development of the proposed project would result in an increase in the amount of impermeable surfaces and, therefore, an increase in surface runoff. The project is required to construct new stormwater drainage facilities to handle this runoff. All development is required to comply with NPDES standards and established engineering design related to site drainage as determined by the Town Engineering Division. Prior to issuance of building permits, the project applicant is required to construct storm drain facilities as approved by the Town Engineer.
- d. **Less than Significant Impact.** Liberty Utilities provides domestic water services to the subject property and vicinity. The project is required to construct new domestic waterlines to serve the site.
- f,g. **Less than Significant Impact.** The Town contracts for solid waste disposal with Burrtec Waste Industries. Solid waste is hauled to the Victorville landfill, which is a County operated facility. The proposed project will generate solid waste consistent with that analyzed in the Town's General Plan EIR. Impacts associated with solid waste generation are expected to be less than significant.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Does the project:				
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)?				
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a. **Less than Significant Impact.** The site is not within designated or proposed critical habitat for threatened or endangered species. Additionally, the proposed project site does not contain any wetlands, or riparian habitat. The proposed project site was identified as not containing suitable habitat for nesting birds, raptors, and burrowing owls due to previous activities. The project area has the potential to contain significant paleontological resources. Implementation of Mitigation Measures would reduce potential impacts to paleontological resources to a less than significant level. Adherence to standard Town and State measures related to the discovery, recovery, and/or recordation of cultural resources and/or human remains during construction activities would ensure a less than significant impact to cultural resources would result from the implementation of the proposed project.
- b. **Less than Significant Impact.** With implementation of mitigation contained in this Initial Study, environmental impacts associated with the project will be reduced to a less than significant level; therefore, the proposed project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- c. **Less than Significant Impact with Mitigation.** The proposed project site is located within an area designated by the Town for residential uses. While development of the proposed project would generate fugitive dust and pollutant emissions during construction, it would not result in any significant operational air quality impacts. Thus, it is not anticipated that these additional emissions would result in significant cumulative air quality impacts. Impacts related to biological resources, cultural resources, geology and soils, hazards, noise, public services, traffic and utilities and services are similarly reduced to a less than significant level through the implementation of mitigation measures and the adherence to established Town-mandated standards. There are no projects that, in combination with the proposed project would create a cumulatively considerable impact over and above those identified in this Initial Study/Mitigated Negative Declaration. The potential cumulative impacts associated with development of the proposed project are, therefore, less than significant.
- d. **Less than Significant Impact.** As identified in this Initial Study/Mitigated Negative Declaration, it was determined that the significance of environmental impacts associated with new development resulting from the proposed project were either no impact, less than significant impact, or less than significant impact with mitigation incorporated. For all topics, the project would not produce a significant effect on the environment. Correspondingly, the project would not produce an adverse impact on humans for those environmental topics that relate directly to humans such as aesthetics, air quality, cultural resources, geology and soils, hazards

MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

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), 2013
- 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.
- Mojave Desert Air Quality Management District, Rule 403.2: Fugitive Dust Control Planning Area.
- South Coast Air Quality Management District, CEQA Air Quality Handbook.
- Geotek, Geotechnical Evaluation. May 2017
- MD Acoustics, Noise Impact Study. November 2017
- RCA Associates, Cultural Resources Assessment. September 2017
- RCA Associates, Biological Resources Assessment. September 2017
- Duke CRM, Paleontological Resources Assessment. December 2017



TOWN OF APPLE VALLEY PLANNING COMMISSION

Get a Slice of the Apple.

Staff Report

- AGENDA DATE:** March 7, 2018
- CASE NUMBER:** General Plan Amendment No. 2017-001 and Zone Change No. 2017-001
- APPLICANT:** Town of Apple Valley
- PROPOSAL:**

General Plan Amendment No. 2017-001: A request to consider a change to the General Plan land use designation from Specific Plan (Meadowbrook) to General Commercial (C-G), Medium Density Residential (R-M: 4 to 20 units per net acre) and Single Family Residential (R-SF: 1 dwelling unit per 0.4 to 0.9 net acre)

Zone Change No. 2017-001: A request to consider a zone change from Specific Plan (Meadowbrook) to General Commercial (C-G), Multi-Family Residential (R-M) and Single Family Residential (R-SF)
- LOCATION:** The Meadowbrook Planned Unit Development is located at the southeast corner of Apple Valley Road and Yucca Loma Road; APNs: APNs 3087-011-04, -07 thru -09, -11, -17 thru 20, 3087-012-01 thru -80.
- 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:** Carol Miller, Assistant Director of Community Development
- RECOMMENDATION:** Approval

PROJECT SITE AND DESCRIPTION:

- A. Project Size
The Specific Plan encompasses approximately seventy-two (72) acres.
- B. Site Characteristics
The site is made up of 83 parcels, of which 74 parcels are within an unfinished housing tract. The tract area includes paved roads and graded building pads. The commercial lot on the corner of Apple valley Rd and Yucca Loma Rd is developed with a gas station and mini-mart while the remaining 8 parcels are vacant and void of any vegetation.

C. General Plan Designations

Project Site - Specific Plan (SP)

North - Single Family Residential (R-SF) & General Commercial (C-G)

South - Single Family Residential (R-SF)

East - Single Family Residential (R-SF)

West - Single Family Residential (R-SF) & General Commercial (C-G)

D. Surrounding Zoning and Land Use

Project Site - Specific Plan (SP)

North - Single Family Residential (R-SF) & General Commercial (C-G) - Vacant and single-family residences

South - Single Family Residential (R-SF) – Vacant land

East - Single Family Residential (R-SF) – Single-family residential

West - Single Family Residential (R-SF) & General Commercial (C-G) – Vacant land and commercial

E. Existing Meadowbrook Zoning Districts

3087-011-04, -07, -08, -17 thru 20 – Planned Neighborhood Commercial (PNC)

3087-011-04-09, -11 – Service / Residential (S-R)

3087-012-01 thru -80 - Single Family Residential (R-SF)

F. Proposed General Plan Designations:

3087-011-04, -07, -08, -17 thru 20 - General Commercial (C-G)

3087-011-04-09, -11 - Medium Density Residential (R-M)

3087-012-01 thru -80 - Single Family Residential (R-SF)

G. Proposed Zoning Designations:

3087-011-04, -07, -08, -17 thru 20 - General Commercial (C-G)

3087-011-04-09, -11 - Multi-Family Residential (R-M)

3087-012-01 thru -80 - Single Family Residential (R-SF)

BACKGROUND

The Meadowbrook Specific Plan was originally reviewed and adopted by the Town of Apple Valley in 1991. Within that Specific Plan, the permitted uses and development standards specific to the seventy-two (72) acre area involved in the Plan were considered and adopted by the Town.

ANALYSIS

When a specific plan is adopted, the zoning designation of the affected properties is changed to SP (Specific Plan) indicating that a specific plan has been adopted. As identified above, the zoning districts contained with the Specific Plan included Planned Neighborhood Commercial (PNC), Service / Residential (S-R), and Single Family Residential (R-SF). The property owners now are proposing to dissolve the Specific Plan and the properties be given a Town's land use designation that are comparable to the designations. Although this request eliminates the Specific Plan and its development standards, the properties will be give same or similar zoning and will now be subject to the Town's Development Code.

Although this General Plan Amendment and Zone Change discussed in this staff report provides a means to remove the Specific Plan designation, it does not substantially alter the vision or development allowed in the area. The most notable change in intensity in the area is the change from Service Residential (S-R) to Multi-Family Residential (R-M). The Specific Plan S-R designation allowed up to twenty-eight (28) units/ acre while the R-M designations allows a maximum twenty

(20) units per acre. Therefore, Staff has determined that the circumstances of the “project” are essentially the same or less than what was analyzed under the previously Negative Declaration. However due to the age of the document and assurances there would not be an increase to traffic, staff requested a traffic analysis and prepared an Initial Study / Negative Declaration.

Environmental Assessment

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

Noticing

General Plan Amendment No. 2017-001 and Zone Change No. 2017-001 were advertised as a public hearing in the Apple Valley News newspaper on February 16, 2018.

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: Although this General Plan Amendment will dissolve the Meadowbrook Specific Plan, it does not substantially alter the vision or development allowed in the subject area due to the proposed designations being same or similar to the land use districts given by the Specific Plan. As such, the proposal is found to be consistent with the goals and policies of the General Plan.

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

Comment: The proposal merely seeks to remove the Meadowbrook Specific Plan and be given land use designations using the Town’s General Plan classifications.

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: Although this General Plan Amendment provides will dissolve the Meadowbrook Specific Plan, it does not substantially alter the vision or development allowed in the subject area.

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: Although this Zone Change will dissolve the Meadowbrook Specific Plan, it does not substantially alter the vision or development allowed in the subject area due to the proposed designations being same or similar to the land use districts

assigned under the Specific Plan. As such, the proposal is found to be consistent with the goals and policies of the General Plan.

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

Comment: The proposal merely seeks to remove the Meadowbrook Specific Plan and be given Town's Zoning designations. Since the proposed zoning is similar to the Meadowbrook Land Use Districts for each parcel, the proposal will not be detrimental to the public health, safety or welfare of the Town or its residents.

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 General Plan Amendment No. 2017-001 and Zone Change No. 2017-001 on the basis of the whole record before the Planning Commission, including the Initial Study and any comments received, and there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the Town's independent judgment and analysis.
3. Find that the facts presented in the staff report support the required Findings for approval and adopt those findings.
4. Adopt Planning Commission Resolution No. 2018-002 recommending the Town Council's approval of General Plan Amendment No. 2017-001 and Zone Change No. 2017-001 changing land use designations as identified in the attached exhibit.

Prepared By:

Carol Miller
Assistant Director of Community Development

ATTACHMENTS:

1. Location Map
2. Proposed Land Use/Zoning Modifications
3. Planning Commission Resolution No. 2018-002
4. Initial Study/ Negative Declaration

General Plan Amendment No. 2017-001
 Zone Change 2017-001

ZONING/LOCATION MAP

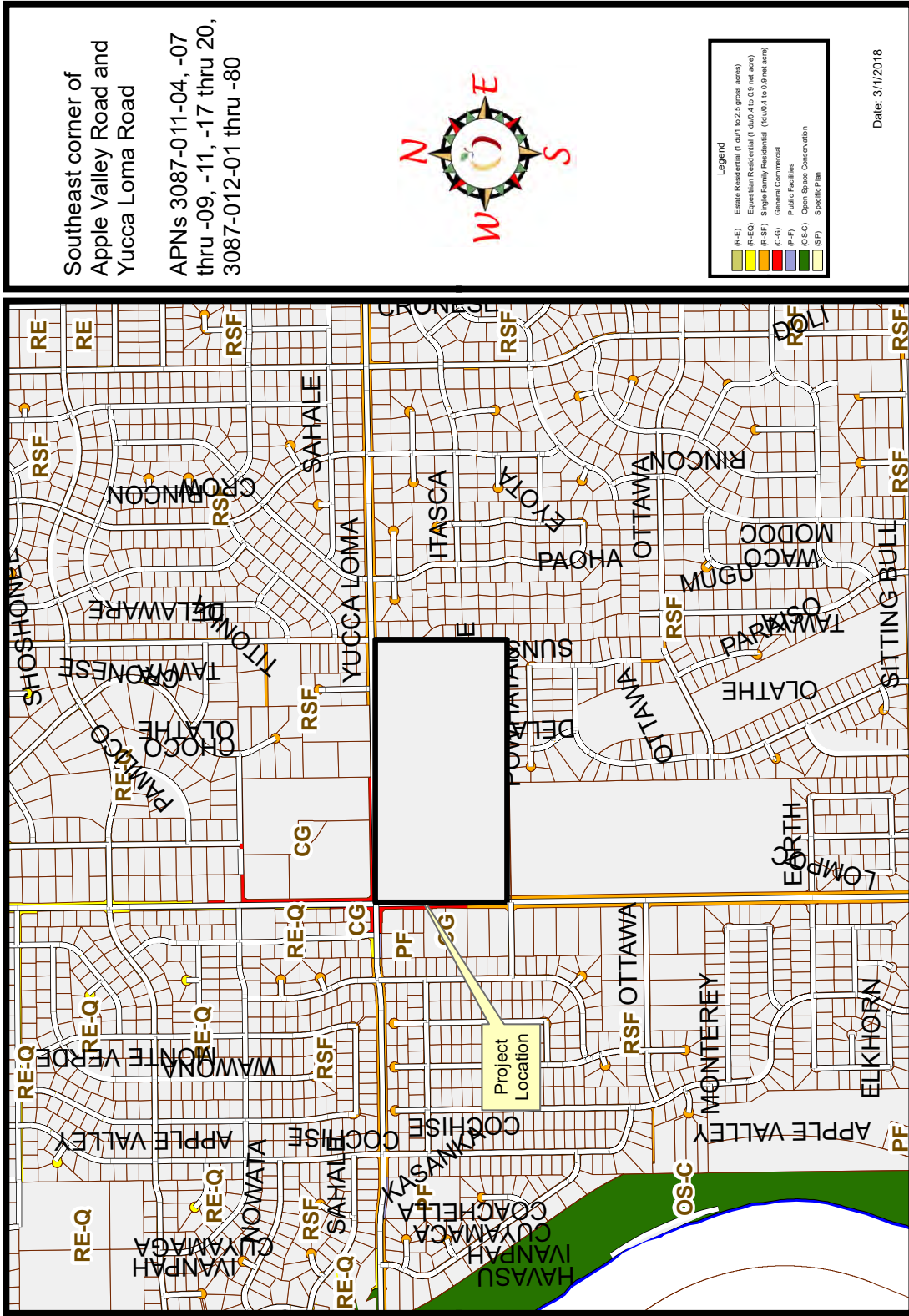


Exhibit A
Proposed Land Use Designations
 General Plan Amendment No. 2017-001 and
 Zone Change No. 2017-001

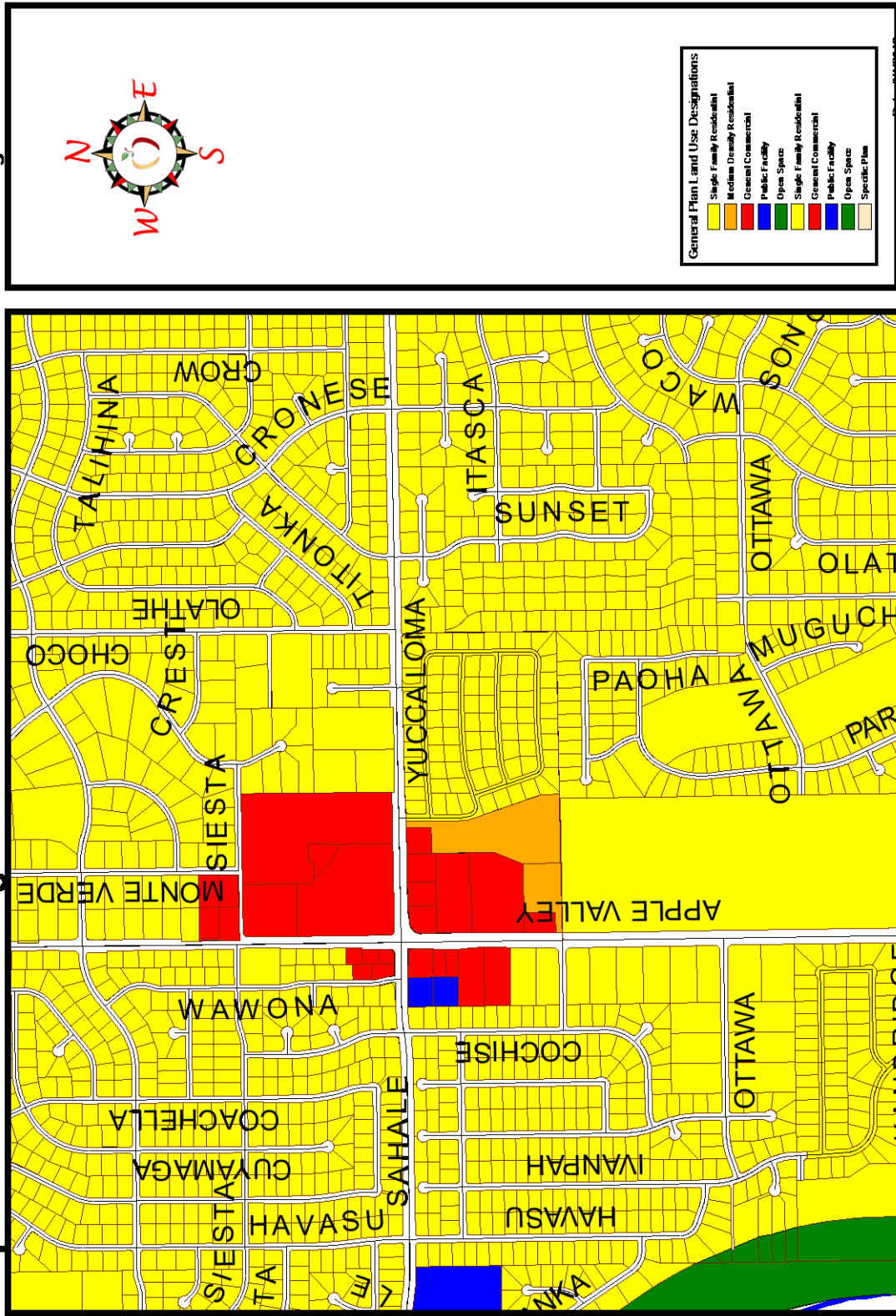
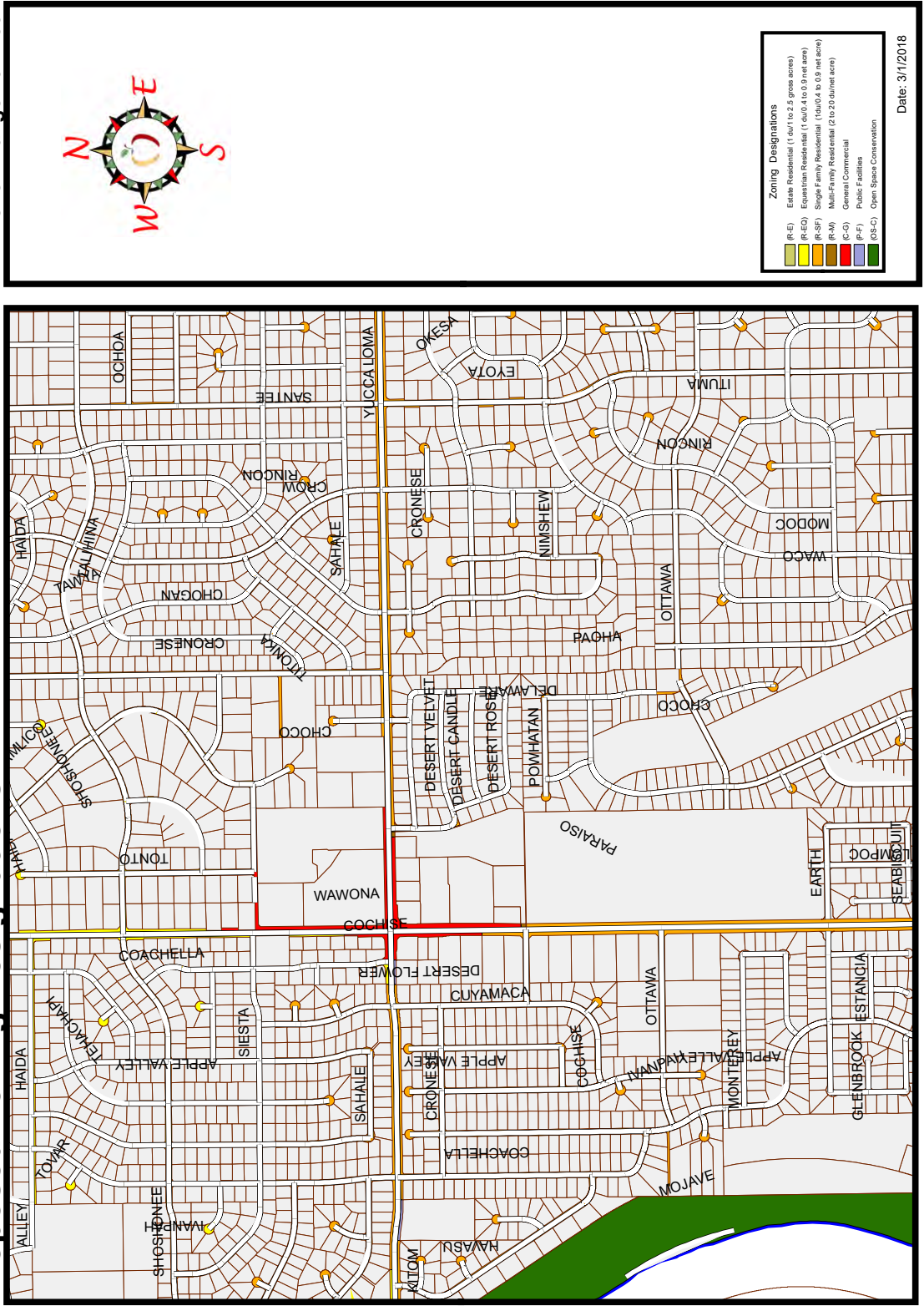


Exhibit B
Proposed Zoning Designations
General Plan Amendment No. 2017-001 and
Zone Change 2017-001



General Plan Amendment No. 2017-001 and Zone Change No. 2017-001
 March 7, 2018 Planning Commission Meeting

TOWN OF APPLE VALLEY NEGATIVE DECLARATION/INITIAL STUDY
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Project Title	General Plan Amendment 2017-001 and Zone Change 2017-001
Assessor's Parcel No.	APNs 3087-011-04, -07 thru -09, -11, -17 thru 20, 3087-012-01 thru -80.
Lead Agency Name and Address:	Town of Apple Valley 14955 Dale Evans Parkway Apple Valley, CA 92307
Project Location:	Southeast corner of Apple Valley and Yucca Loma Roads.
Project Sponsor's Name and Address:	Town of Apple Valley 14955 Dale Evans Parkway Apple Valley, CA 92307
General Plan Designation(s):	Specific Plan (Meadowbrook) to General Commercial (C-G), Medium Density Residential (R-M: 4 to 20 units per net acre) and Single Family Residential (R-SF: 1 dwelling unit per 0.4 to 0.9 net acre)
Zoning:	Zone Change No. 2017-001: A request to consider a zone change from Specific Plan (Meadowbrook) to General Commercial (C-G), Multi-Family Residential (R-M) and Single Family Residential (R-SF)
Contact Person:	Carol Miller Assistant Director of Community Development Town of Apple Valley
Phone Number:	(760) 240-7000, ext. 7222
Date Prepared	February 16, 2018

NEGATIVE DECLARATION/INITIAL STUDY

Description of the Project

General Plan Amendment No. 2017-001: A request to consider a change to the General Plan land use designation from Specific Plan (Meadowbrook) to General Commercial (C-G), Medium Density Residential (R-M: 4 to 20 units per net acre) and Single Family Residential (R-SF: 1 dwelling unit per 0.4 to 0.9 net acre)

Zone Change No. 2017-001: A request to consider a zone change from Specific Plan (Meadowbrook) to General Commercial (C-G), Multi-Family Residential (R-M) and Single Family Residential (R-SF)

The overall purpose of the request is to dissolve the Meadowbrook Specific Plan and its underlying land use designations and reclassify the parcels to comparable to the Town's General Plan and Zoning Designations.

Environmental Setting and Surrounding Land Uses

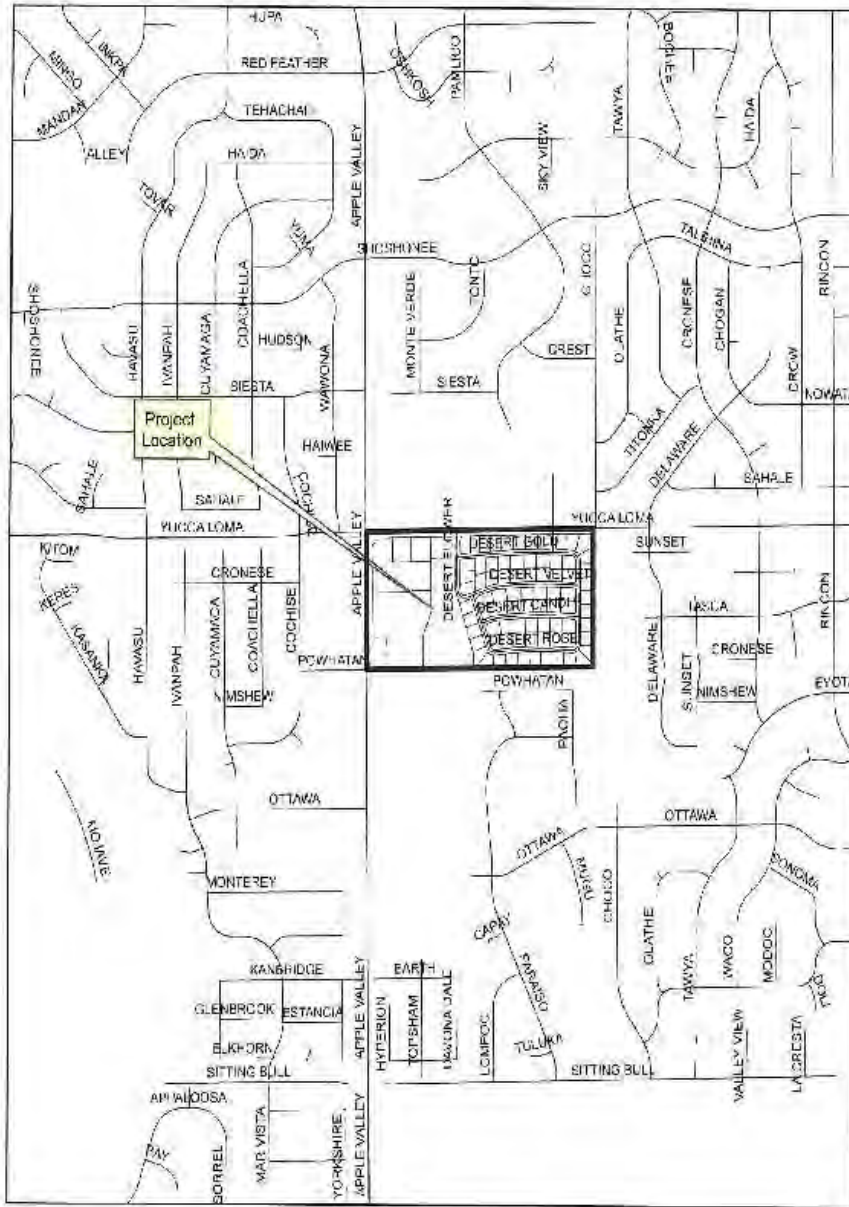
The site is made up of 83 parcels, of which 74 parcels are within an unfinished housing tract. The tract area includes paved roads and graded building pads. The commercial lot on the corner of Apple valley Rd and Yucca Loma Rd is developed with a gas station and mini-mart while the remaining 8 parcels are vacant and void of any vegetation.

Other public agencies whose approval is required

None

NEGATIVE DECLARATION/INITIAL STUDY

Exhibit 1 – Project Location



NEGATIVE DECLARATION/INITIAL STUDY

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding site-specific discussion on the following pages.

- | | | |
|---|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

DETERMINATION: The Town of Apple Valley Planning Department has determined, on the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

 Carol Miller
 Assistant Director of
 Community Development

 Date

NEGATIVE DECLARATION/INITIAL STUDY

PURPOSE OF THIS INITIAL STUDY

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

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 project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, 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 may be 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 Analysis 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) 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 impacts to less than significance.

NEGATIVE DECLARATION/INITIAL STUDY

I. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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"/>

Discussion of Impacts

a-d) No Impact. The General Plan Amendment and Zone Change will not directly impact scenic vistas, but the ultimate development will result in the construction of two- and/or three-story apartment buildings. The development of the proposed project will primarily affect scenic mountain views as seen from properties west, east and south of the subject site. Building height in the R-M and R-SF zone can extend to 35 feet. The ultimately development of the site would result in limited obstruction of views. The project involves 82 vacant parcels and 1 developed parcel. The subject area 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.

NEGATIVE DECLARATION/INITIAL STUDY

II. AGRICULTURAL 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 Incorporated	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 by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-e. **No Impact.** The site is not located in an area that has been designated by the California Department of Conservation as an Important Farmland, and it is not being used for agricultural purposes. No Williamson Act Contracts exist for the subject properties. The project will not result in the conversion of farmland to a non-agricultural use. Therefore, no impact is anticipated.

NEGATIVE DECLARATION/INITIAL STUDY

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

Discussion of Impacts

a, b, f. **Less than Significant Impact.** The General Plan Amendment and Zone Change will not directly impact air quality, but the ultimate development may but not to the level that cannot be mitigated or that would violate any air quality standards. The proposal involves dissolving the Meadowbrook SP and giving the parcels comparable land use designation under the Town's General Plan and Zoning classifications. Nevertheless, 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 (PM₁₀). When projects for development occurs, the projects will be subject to the air district requirements.

c. **Less Than Significant Impact.** The proposed project may contribute to an incremental increase in emissions but will not exceed Mojave Desert Air Quality Management District (MDAQMD) thresholds for PM₁₀ or ozone precursors (NO_x). Cumulative impacts are not expected to be minimal since the proposal includes giving the subject site comparable zoning which has already been anticipated under the Town's General Plan EIR.

NEGATIVE DECLARATION/INITIAL STUDY

- d. **No Impact:** The General Plan Amendment and Zone Change will have no impact on sensitive receptor. Ultimate development of the site, however, may result in impacts on sensitive receptor. The nearest sensitive receptors are single-family residences located within 500 feet to the east.
- e. **Less than Significant Impact:** The project does not propose new construction as the project is only for a change in General Plan land use designation and zoning. This proposal dissolves the Meadowbrook Specific Plan and its underlying land use designations and reclassifies area to comparable General Plan and Zoning Designations.

IV. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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 Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

Discussion of Impacts

Town of Apple Valley
 February 2018

General Plan Amendment 2017-001 and Zone Change 2017-001
 Negative Declaration/Initial Study

NEGATIVE DECLARATION/INITIAL STUDY

V. CULTURAL RESOURCES

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

Discussion of Impacts

a-d. **No Impact:** As required by Assembly Bill 52 and Senate Bill 18 Tribal consultation was undertaken for GPA 2017-001 & ZC 2017-001. The General Plan Amendment and Zone Change will have no impact on cultural resources. Ultimate development of the site, however, will result in site disturbance. Based on consultation responses, the San Manuel Band of Mission Indians (SMBMI) indicated that the site is within the Tribe's (Serrano) ancestral territory and requested that any future development provide for their review a records search and Phase 1 archaeological investigation.

VI. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 type="checkbox"/>

NEGATIVE DECLARATION/INITIAL STUDY

- a. **Less than Significant Impact:** The proposed General Plan Amendment and Zone Change in and of itself does not directly involve the development of any of the sites. Ultimate development of the site, however, may result in impacts to biological resources. The site is made up of 83 parcels, of which 74 parcels are within an unfinished housing tract. The tract area includes paved roads and graded building pads. The commercial lot on the corner of Apple valley Rd and Yucca Loma Rd is developed with a gas station and mini-mart while the remaining 8 parcels are vacant and void of any vegetation. Due to existing and past disturbances the site currently offers no habitat
- b. **No Impact.** Riparian habitat includes willows, mule fat, and other vegetation typically associated with the banks of a stream or lake shoreline. No riparian habitat exists on site. In addition, there are no other sensitive natural communities or habitats present on the project site. Therefore, no impact associated with this issue will occur.
- c. **No Impact** The project site does not contain any streams, riparian habitat, marshes, protected wetlands, vernal pools or sensitive natural communities protected by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. No project related impacts will occur.
- d. **Less than Significant Impact** The subject property is in an urban area and surrounded by roadways, single residential and commercial development. Due to surrounding human activity for many decades, the site does not contain trees or other biological species or features that are suitable for a migratory wildlife corridor. No project-related impacts will occur.
- e. **Less than Significant Impact.** The site does not contain Joshua trees, according to surveys conducted by RCA, due in part to the numerous years the site has been utilized for agricultural uses. Therefore, impacts related to this issue are less than significant.
- f. **No Impact.** The proposed General Plan Amendment and Zone Change in and of itself does not directly involve the development of any of the sites. Ultimate development of the site, however, may result in impacts to biological resources. Areas of valuable habitat that support special status species are illustrated in the Biological Resources Study of the Town's General Plan EIR. The General Plan includes policies and programs intended to ensure that habitat connectivity is preserved in the Town. In addition, a number of special survey areas in the Town's planning area are identified in the General Plan. Species for which surveys are required as part of development applications include Desert Tortoise, Mojave Ground Squirrel, Burrowing Owls, Joshua Trees, and/or Migratory/Nesting/Other Protected Birds. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan because no such plan has been adopted in the area of the project site. However, the Town has a draft Multi-Species Habitat Conservation Plan, and at such time the site is to be developed, the project will be subject to the mitigation measures identified in the MHCP.

NEGATIVE DECLARATION/INITIAL STUDY

VI. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-e. **No Impact.** The sites are not located within the boundaries of an earthquake fault zone for fault-rupture hazard as defined by the Alquist-Priolo Earthquake Fault Zoning Act. No known active or potentially active faults traverse the site as shown on the California Geologic Survey Map (2002). Nevertheless, 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 proposed project will require the excavation, stockpiling, and movement of on-site soils to create the residential pads and proposed new roadways. Currently, construction projects resulting in the disturbance of 1.0 acre or more are required to obtain a National Pollutant Discharge Elimination System (NPDES) permit issued by the Regional Water Quality Control Board (RWQCB). The project's construction contractor will be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) that identifies Best Management Practices (BMPs) to limit the soil erosion during project constructions. Adherence during construction to provisions of the NPDES permit and applicable BMPs contained in the SWPPP will ensure that potential impacts related to this issue are less than significant.*

Source: Town of Apple Valley, General Plan EIR

NEGATIVE DECLARATION/INITIAL STUDY

VII. GREENHOUSE GAS EMISSIONS	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

a-b. **Less than Significant Impact.** According to the Town's General Plan, air quality is a concern due to human health issues, and because air pollutants are thought to be contributing to global warming and climate change. Air pollution is defined as a chemical, physical or biological process that modifies the characteristics of the atmosphere. The proposed General Plan Amendment and Zone Change in and of itself does not directly involve the development of any of the sites. Any future development must comply with the California Building and Green Code. However, the purpose of the proposal is to dissolve the Specific Plan designation and underlying zoning with similar to the classifications identified in the Town's General Plan whose impacts have already been anticipated in the Town General Plan EIR.

VII. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

NEGATIVE DECLARATION/INITIAL STUDY

VII. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project: 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?				
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"/>

Discussion of Impacts

- a&b: **No Impact.** The proposed General Plan Amendment and Zone Change in and of itself does not directly involve the development of any of the sites.
- c. **No Impact.** Based on the Town's General Plan, the project areas are not within one-quarter mile of an existing or proposed school. Therefore, no impact would result within the vicinity of an educational facility.
- d: **No Impact.** This project is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, this project would not create a significant hazard to the public or the environment. No impact is anticipated.
- e **No Impact.** The subject areas are not located in the vicinity of a designated airport land use, nor within a two-mile radius of a public airport; therefore, no hazards are known to impact public safety.
- f) **No Impact.** The subject areas are not located within the vicinity of a private airstrip.
- g: **No Impact.** The subject areas are partially developed and therefore, would not conflict or otherwise interfere with emergency response or evacuation plans. The existing development does not conflict with existing evacuation routes.
- h: **No Impact.** According to the Town's General Plan, the project areas are not located within a Fire Hazard Area or within an area susceptible to wildfires. The lands are within developed neighborhoods with only; therefore, no impact is anticipated.

NEGATIVE DECLARATION/INITIAL STUDY

III. HYDROLOGY AND WATER QUALITY

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

NEGATIVE DECLARATION/INITIAL STUDY

III. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project: including flooding as a result of the failure of a levee or dam?				

j) Inundation by seiche, tsunami, or mudflow?

Discussion of Impacts

The General Plan Amendment and Zone Change will have no impact on hydrology. Ultimate development of the site will generate impervious surfaces, and will require analysis of the retention needs of the project.

a-g: **No Impact.** No development is proposed at this time. Nevertheless, any future development must comply with the NPDES standards.

h: **No Impact.** The project areas are not located within a 100-year or 500-year flood hazard area. No impacts related to this issue are anticipated to occur.

i-j: **No Impact.** No levees, dams or large bodies of water are located near the locations which would subject people to flooding. The areas are also not located in a coastal area and, therefore, would not be subject to seiche, tsunami or mudflow.

IX. LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				

a) Physically divide an established community?

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,b: **No Impact.** The General Plan Amendment and Zone Change will have no impact on land use planning since the project involves dissolving a Specific Plan designation and replacing it with comparable zoning designations to those identified with the Meadowbrook Specific Plan.

c: **No Impact.** The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan because no such plan has been adopted in the area of the project site; however, the Town has a draft Multi-Species Habitat Conservation Plan. At such

NEGATIVE DECLARATION/INITIAL STUDY

time the site is to be developed, the project will be subject to the mitigation measures identified in the MHCP.

X. MINERAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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"/>
Discussion of Impacts				
a. No Impact. The sites are not designated as a State Aggregate Resource Area according to the General Plan FEIR; therefore, there is no impact.				
b. No Impact. The sites are not designated by the General Plan as a Mineral Resource Zone; therefore, there is no impact.				

XI. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
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 groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, 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"/>

NEGATIVE DECLARATION/INITIAL STUDY

XI. NOISE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Would the project result in:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion of Impacts (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 project site is located on Apple Valley and Yucca Loma Roads, major roadway as defined by the Town's General Plan Circulation Element. Noise levels on these roadways can be expected to be greater than would be typical of local streets. The General Plan Amendment and Zone Change will have no impact on noise. Eventual development of a multi-family project on the site, however, will result in the potential exposure of sensitive receptors to higher levels of noise.

e-f: No Impact. The subject areas are not located in the vicinity of a designated airport land use, private airstrip, or within two-mile radius of a public airport; therefore, no impact is anticipated.

XII. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

a. **Less than Significant Impact.** The General Plan Amendment and Zone Change will not directly impact population, but the ultimate development may but not to the level that cannot be mitigated. The proposal involves dissolving the Meadowbrook SP and giving the parcels comparable land use designation under the Town's General Plan and Zoning classifications. The commercial designations are identical but there is some difference between the existing Service Residential (S-R) and its allowed uses to the proposed Multi-Family Residential (R-M) uses. The S-R designation allowed for a combination of professional office and senior apartment housing and health care facilities. The R-M zoning will allow multi-family development which will serve as a buffer between the SFR and the C-G) The proposed residential uses meet the Town's goal of providing housing opportunities for the increasing

NEGATIVE DECLARATION/INITIAL STUDY

population within the Town of Apple Valley. As the proposed project is consistent with and has been anticipated by the Town's General Plan, a less than significant growth inducing impact would be associated with development of the project site.

Source: Apple Valley General Plan, Housing Element.

- b: **No Impact.** The proposed project site is currently vacant and, therefore, no displacement of housing or residents will occur. Replacement housing will not be required and no impact associated with this issue will occur.
- c: **No Impact.** The proposed project site is currently vacant. As such, the development of the project will not displace substantial numbers of people or necessitate the need for construction of replacement housing elsewhere. No impact associated with this issue will occur.

XIII. PUBLIC SERVICES

Would the project result in:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-c: **No Impact.** As previously discussed, the proposal only asks for the removal of the Meadowbrook Specific Plan designation and be given comparable zoning to those identified within the Specific Plan with Town's designation. Therefore, ultimate development of the project site will not increase the demand on services in the Town from what has already been identified in the General Plan.

NEGATIVE DECLARATION/INITIAL STUDY

XIV. RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) 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"/>

Discussion of Impacts

a-b: **No Impact.** As previously discussed, the proposal only asks for the removal of the Meadowbrook Specific Plan designation and be given comparable zoning to those identified within the Specific Plan with Town's designation. Therefore, ultimate development of the project site will not increase the demand on recreation in the Town from what has already been identified in the General Plan.

XV. TRANSPORTATION/TRAFFIC

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

NEGATIVE DECLARATION/INITIAL STUDY

XV. TRANSPORTATION/TRAFFIC

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Would the project:

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion of Impacts

a-b. **No impact.** Access to the site will be provided via Apple Valley Road and Yucca Loma Road. To ensure that the conversion from the Specific Plan's underlying zoning designations to the most comparable Town's zoning designations were not an increase in traffic, a Traffic Analysis was prepared by David Evans and Associates, dated January 18, 2018. The analysis concluded that the proposal would generate less trips than the existing specific plan based on allowable land uses. As development occurs the roadway adjacent to the development will be required to be improved to the Town's road standards consistent with the Circulation Map. Also, projects will be required payment of traffic impact fees to reduce regional traffic impacts. Therefore, there will be a less than significant impact.

c. **No impact.** The proposal will not affect air traffic patterns.

d. **No impact.** The proposal will not alter the roadway pattern or add incompatible traffic uses.

e. **No impact.** The project will be designed to provide access for all emergency vehicles and, therefore, will not create inadequate emergency access. Primary access would be provided via Sitting Bull and Deep Creek Road. Secondary access routes Skyline Drive and Geronimo Road. The nearest emergency evacuation/access is Bear Valley Road, located south of the site. The Apple Valley Fire Protection District will review the TTM for adequate emergency access and development requirements as conditions of approval. No impacts are anticipated.

f. **No impact.** At the time of development, projects will be required to comply with the Development Code standards to meet parking capacity based on use. Therefore, the project will not result in inadequate parking capacity and no impact will occur.

g. **No impact.** The future project designs will provide ample area for pedestrian access. Development along Yucca Loma Road will include the installation of a multi-use trail. The multi-use trail along Apple Valley Road has already been installed which encourages and support alternative transportation and would not interfere with any existing or proposed bus stops. Victor Valley Transit provides bus service to the Town. No impact is anticipated.

NEGATIVE DECLARATION/INITIAL STUDY

XVII. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a-b. As required by Assembly Bill 52 and Senate Bill 18 Tribal consultation was undertaken for GPA 2017-001 & ZC 2017-001. The General Plan Amendment and Zone Change will have no impact on cultural resources. Ultimate development of the site, however, will result in site disturbance. Based on consultation responses, the San Manuel Band of Mission Indians (SMBMI) indicated that the site is within the Tribe's (Serrano) ancestral territory and requested that any future development provide for their review a records search and Phase I archaeological investigation.

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

NEGATIVE DECLARATION/INITIAL STUDY

XVI. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
of which could cause significant environmental effects?				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

Discussion of Impacts

- a. **Less than Significant Impact** The General Plan Amendment and Zone Change will have no impact on utilities and service systems. The ultimate development of the site will, however, increase demand for these services. Nevertheless, under Section 402 of the Federal Clean Water Act (CWA), the Regional Water Quality Control Board (RWQCB) issues NPDES permits to regulate waste discharges to "waters of the U.S." Waters of the U.S. include rivers, lakes, and their tributary waters. Waste discharges include discharges of stormwater and construction project discharges. A construction project resulting in the disturbance of more than one acre requires an NPDES permit. Construction project proponents are also required to prepare a Storm Water Pollution Prevention Plan (SWPPP). Prior to the issuance of building permits, the project applicant will be required to satisfy Victor Valley Wastewater Reclamation Authority (VWRA) requirements related to the payment of fees and/or the provision of adequate wastewater facilities. Since comparable zoning is being given, less than significant impact is anticipated from what has already been analyzed.
- b,e: **Less than Significant Impact.** As previously discussed, wastewater treatment services to the project would be provided by the VWRA. The VWRA is a California Joint Powers Authority that owns and operates regional wastewater collection and treatment facilities which services the Victor Valley. For future construction of the new dwelling units and commercial, the projects are required to satisfy RWQCB and VWRA payment of fees. The payment of fees satisfies the requirements for the development impact on wastewater treatment

NEGATIVE DECLARATION/INITIAL STUDY

facilities. For these reasons, impacts to wastewater treatment facilities would be less than significant. The proposed project water services are provided by Liberty Utility.

- d: **Less than Significant Impact.** The proposed General Plan Amendment and Zone Change in and of itself does not directly involve the development of any of the properties. Nevertheless, Liberty Utilities provides domestic water services to the subject property and vicinity. The future projects are required to construct new domestic waterlines to serve the site.
- f-g. **Less than Significant Impact.** The proposed General Plan Amendment and Zone Change in and of itself does not directly involve the development of any of the sites. Future solid waste generated by future development would be ultimately transported to the Victorville Regional Sanitary Landfill. Recently, the County of San Bernardino Solid Waste Management Division requested an approval of the expansion of the landfill. The County of San Bernardino Solid Waste Management Division prepared an Environmental Impact Report to review the environmental effects of expanding the landfill to accommodate future grow. The expansion project was approved and extended the landfill projected closure date from 2005 to 2081. Based on approval of the expansion at the Victorville Regional Landfill, solid waste generated by future development at the project are would have a less than significant impact on the permitted capacity.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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) 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"/>

NEGATIVE DECLARATION/INITIAL STUDY

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Does the project:				
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a. **No Impact.** Based on the information contained in this initial study, the proposal will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
- b. **No Impact.** Based on the information contained in this initial study, the proposal will not have impacts that are individually limited, but cumulatively considerable.
- c. **No Impact.** Based on the information contained in this initial study, the proposal will not have substantial adverse effects on human beings, either directly or indirectly.

REFERENCES

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
 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,
 Mojave Desert Air Quality Management District, Rule 403.2: Fugitive Dust Control Planning Area,
 South Coast Air Quality Management District, CEQA Air Quality Handbook
 Traffic Analysis, David Evans and Associates, January 18, 2018.

PLANNING COMMISSION RESOLUTION NO. 2018-002

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF APPLE VALLEY, CALIFORNIA, RECOMMENDING THAT THE TOWN COUNCIL APPROVE GENERAL PLAN AMENDMENT NO. 2017-001 AND ZONE CHANGE NO. 2017-001 AMENDING THE LAND USE DESIGNATION

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

WHEREAS, specific changes are proposed to the Land Use Element of the adopted General Plan of the Town of Apple Valley by amending the Land Use Designation of the following 355 parcels:

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 the following 355 parcels:

WHEREAS, on February 16, 2018, General Plan Amendment No. 2017-001 and Zone Change No. 2017-001 were duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

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

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

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

WHEREAS, on March 7, 2018, the Planning Commission of the Town of Apple Valley opened a duly noticed and advertised public hearing on General Plan Amendment No. 2017-001 and Zone Change No. 2017-001; and

WHEREAS, the proposed General Plan Amendment No. 2017-001 and Zone Change No. 2017-001 are consistent with Town of Apple Valley General Plan and Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley and shall promote the health, safety and general welfare of the citizens of the Town of Apple Valley.

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

Section 1. In consideration of the evidence received at the public hearing, and for the reasons discussed by the Commissioners at said hearing, the Planning Commission of the Town of Apple Valley, California, finds that the changes proposed under General Plan Amendment No. 2017-

001 and Zone Change No. 2017-001 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan.

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

Section 3. Based upon the information contained within the Initial Study prepared in conformance with the State Guidelines to Implement the California Environmental Quality Act (CEQA), General Plan Amendment No. 2017-001 and Zone Change No. 2017-001 will not have a significant impact upon the environment, therefore, the Town Council of the Town of Apple Valley should adopt the Negative Declaration for General Plan Amendment No. 2017-001 and Zone Change No. 2017-001.

Section 4. Adopt a Town Council Resolution amending the adopted Town of Apple Valley General Plan Land Use Element by dissolving the Meadowbrook Specific Plan and reclassifying the subject parcels with General Plan Land Use Designation as shown on Exhibit A and as follows:

3087-011-04, -07, -08, -17 thru 20 - General Commercial (C-G)
3087-011-04-09, -11 - Medium Density Residential (R-M)
3087-012-01 thru -80 - Single Family Residential (R-SF)

Section 5. Adopt an ordinance amending certain portions of Title 9 (Development Code) of the Town of Apple Valley Municipal Code, Section 9.05.040 "Adoption of the Official Zoning Map" subsection "B" by amending the boundaries identified on the Official Zoning Map of the Town of Apple Valley by changing the zoning designation from Specific Plan (SP) for the following parcels and Zoning Designation as shown on Exhibit B and as follows:

3087-011-04, -07, -08, -17 thru 20 - General Commercial (C-G)
3087-011-04-09, -11 - Multi-Family Residential (R-M)
3087-012-01 thru -80 - Single Family Residential (R-SF)

Approved and Adopted by the Planning Commission of the Town of Apple Valley this 7th day of March 2018.

Chairman Bob Tinsley

ATTEST:

I, Yvonne Rivera, 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 7th day of March 2018 by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ms. Yvonne Rivera, Planning Commission Secretary