



TOWN OF APPLE VALLEY

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council **Date:** April 24, 2018
From: Carol Miller, Assistant Director of **Item No:** 8
 Community Development
 Community Development Department
Subject: GENERAL PLAN AMENDMENT NO. 2017-001 AND ZONE CHANGE NO.
 2017-001
T.M. Approval: _____ **Budgeted Item:** Yes No N/A

RECOMMENDED ACTION:

Move to open the public hearing and take testimony. Close the public hearing. Then:

- A. **Determine** that, in conformance with the requirements of the State Guidelines to Implement the California Environmental Quality Act (CEQA), the proposed General Plan Amendment No. 2017-001 and Zone Change No. 2017-001 will not have a significant effect on the environment.
- B. **Adopt** the Negative Declaration prepared for General Plan Amendment No. 2017-001 and Zone Change No. 2017-001.
- C. **Find** the facts presented within the staff report, including the attached Planning Commission staff report for March 7, 2018, support the required Findings for approval of the proposed General Plan Amendment and Zone Change and adopt the Findings.
- D. **Adopt** Resolution No. 2018-12 approving General Plan Amendment No. 2017-001.
- E. **Move** to waive the reading of Ordinance No. 501 in its entirety and read by title only.
- F. **Introduce** Ordinance No. 501 approving Zone Change No. 2017-001.
- G. **Direct** staff to file a Notice of Determination with the San Bernardino County Clerk of the Board.

SUMMARY:

The property owners are proposing to dissolve the Meadowbrook Specific Plan and propose the properties be given Town land use designations that are comparable to the existing Specific Plan designations. Although this request eliminates the Specific Plan and its development standards, the properties will be give same or similar zoning and would be subject to the Town's Development Code design standards.

DISCUSSION:

On March 7, 2018, the Planning Commission conducted a public hearing on General Plan Amendment No. 2017-001 and Zone Change No. 2017-001. Following consideration of the information within the staff report, the public hearing and discussion, the Planning Commission voted to adopt Planning Commission Resolution No. 2018-002, recommending that the Council approve the attached Resolution and Ordinance.

The zoning by assessor parcel number are as follows:

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

The acreage by zoning classification is as follows:

General Commercial (C-G) - Approximately 15.5 acres
Medium Density Residential (R-M) – Approximately 12.5 acres
Single Family Residential (R-SF) – Approximately 45 acres.

Although this General Plan Amendment and Zone Change provides a means to remove the Specific Plan designation, it does not substantially alter the vision or development allowed within the subject site. Based on the comments received at the Planning Commission meeting, the most perceived change is the Service Residential (S-R) to Multi-Family Residential (R-M). The Specific Plan S-R designation allows up to twenty-eight (28) units/ acre, senior housing with no open space or amenity requirement. The R-M designation allows a maximum twenty (20) units per acre, may or may not be age restricted and requires open space and amenities among other Development Code standards.

NOTICING:

General Plan Amendment No. 2017-002 and Zone Change No. 2017-002 were advertised as a Town Council public hearing in the Apple Valley News newspaper on March 30, 2018. Property owners within 700 feet were noticed as well as on-site posting.

ENVIRONMENTAL REVIEW:

It was determined that the circumstances of the “project” are essentially the same or less than what was analyzed under the previously Negative Declaration in 1991. However due to the age of the document and assurances there would not be an increase to traffic, a traffic analysis was provided, and Initial Study / Negative Declaration was prepared. Based upon an Initial Study, the proposed General Plan Amendment and Zone Change will not have a significant adverse effect on the environment and, therefore, under the State Guidelines to Implement the California Environmental Quality Act (CEQA) a Negative Declaration has been prepared.

REQUIRED FINDINGS:

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

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

Comment: 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 under 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 eliminate 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 will dissolve the Meadowbrook Specific Plan, it does not substantially alter the vision or development allowed in the subject area. The Specific Plan anticipated a mix of commercial, multi-family and single-family which are the designations proposed for the General Plan Amendment.

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.

FISCAL IMPACT:

Not Applicable.

ATTACHMENTS:

1. Town Council Resolution No. 2018-12
2. Town Council Ordinance No. 501
3. Planning Commission Staff Report
4. Planning Commission Resolution No. 2018-002

RESOLUTION NO. 2018-12

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT NO. 2017-001

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

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

WHEREAS, on March 30, 2018, General Plan Amendment No. 2017-001 was duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

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

WHEREAS, the Town Council finds on the basis of the whole record before it, including the Initial Study and any comments received that there is not substantial evidence that the project will have a significant effect on the environment, and

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

WHEREAS, General Plan Amendment No. 2017-001 is consistent with the goals, policies and standards of all elements of the General Plan as amended and will further those goals, policies and standards; and

WHEREAS, the adoption of General Plan Amendment No. 2017-001 conforms with Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley and will promote the health, safety and general welfare of the citizens of the Town of Apple Valley, and the Findings and Comments for the General Plan Amendment set forth in the staff report are hereby adopted; and

WHEREAS, The Town Council conducted a duly noticed public hearing on April 24, 2018 and heard all testimony of any person wishing to speak on the issue and considered the written recommendation of the Planning Commission on the matter.

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

Section 1. Finds that the changes proposed under General Plan Amendment No. 2017-001 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan, as amended, and as amended will comprise an integrated, internally consistent and compatible statement of policies for the Town, and the Amendment will further the public interest and promote the general welfare of the Town by providing for a logical pattern of land uses.

Section 2. The Town Council hereby approves and adopts General Plan Amendment No. 2017-001, amending a portion of the Town of Apple Valley General Plan Exhibit II-2 Land Use Map from Specific Plan (SP) to Medium Density Residential (R-M), Single Family Residential (R-SF), and General Commercial (C-G) as shown on attached Exhibit "A", with specific parcels identified as follows:

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

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

ADOPTED and **APPROVED** by the Town Council of the Town of Apple Valley this 24th day of April, 2018.

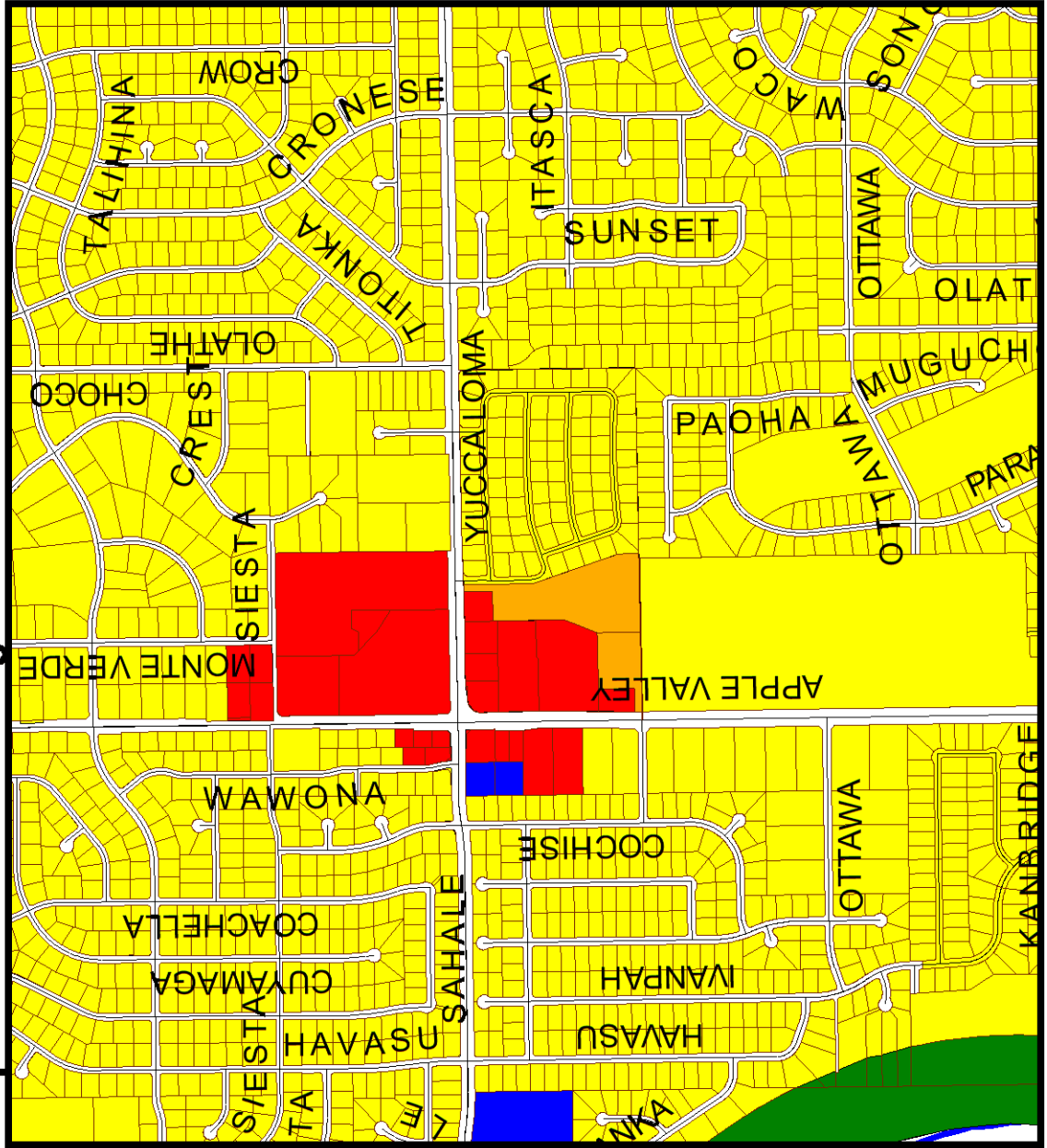
Art Bishop, Mayor

ATTEST:

La Vonda M. Pearson, Town Clerk

**Exhibit A
Proposed Land Use Designations**

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



General Plan Land Use Designations	
[Yellow Box]	Single Family Residential
[Orange Box]	Medium Density Residential
[Red Box]	General Commercial
[Blue Box]	Public Facility
[Green Box]	Open Space
[Yellow Box]	Single Family Residential
[Red Box]	General Commercial
[Blue Box]	Public Facility
[Green Box]	Open Space
[White Box]	Specific Plan

ORDINANCE NO. 501

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING DESIGNATION FROM SPECIFIC PLAN (SP) TO MULTI-FAMILY RESIDENTIAL (R-M), SINGLE FAMILY RESIDENTIAL (R-SF) AND GENERAL COMMERCIAL (C-G) AS IDENTIFIED WITHIN THIS ORDINANCE AND AS SHOWN ON SHOWN IN EXHIBIT "B"

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

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

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

WHEREAS, on March 30, 2018, Zone Change No. 2017-001 was duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

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

WHEREAS, the Town Council finds on the basis of the whole record before it, including the Initial Study on file with the Community Development Department and any comments received that there is not substantial evidence that the project will have a significant effect on the environment; and

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

WHEREAS, on April 24, 2018, the Town Council of the Town of Apple Valley conducted a duly noticed and advertised public hearings on Zone Change No. 2017-001, receiving testimony from the public.

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

Section 1. Zone Change No. 2017-001 is consistent with Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley, as amended and shall promote the health, safety and general welfare of the citizens of the Town of Apple Valley.

Section 2. In consideration of the evidence received at the public hearing, and for the reasons discussed by the Council at said hearing, the Town Council of the Town of Apple Valley, California, adopts the Findings and Comments for the Zone Change set forth in the Staff Report, and finds that the change proposed by Zone Change No. 2017-001 is consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan as amended, and with General Plan Amendment No. 2017-001.

Section 3. The Town Council hereby amends that certain portion of Title 9 (Development Code) of the Town of Apple Valley Municipal Code, Section 9.05.040 “Adoption of the Official Zoning Map” subsection “B” by amending the boundaries identified on the Official Zoning Map of the Town of Apple Valley by changing the zoning designation from Specific Plan (S-P) to Multi-Family Residential (R-M), Single Family Residential (R-SF) and General Commercial (C-G) as shown on attached Exhibit “B” with specific parcels identified as follows:

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

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

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

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

ADOPTED by the Town Council and signed by the Mayor and attested to by the Town Clerk this 8th day of May, 2018.

ATTEST:

Honorable Art Bishop, Mayor

Ms. La Vonda M. Pearson, Town Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Mr. John Brown, Town Attorney

Mr. Douglas B. Robertson, Town Manager

Exhibit B Proposed Zoning Designations

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



Zoning Designations	
(Color swatch)	ER-E) Estate Residential (1/2 to 2.5 gross acres)
(Color swatch)	R-EQ) Equine Residential (1/2 to 4 to 0.1 net acre)
(Color swatch)	R-SF) Single Family Residential (10,000 sq. ft. to 0.3 net acre)
(Color swatch)	R-M) Multi-Family Residential (2 to 20 units/acre)
(Color swatch)	C-O) General Commercial
(Color swatch)	P-F) Public Facilities
(Color swatch)	OS-C) Open Space Conservation

Date: 3/1/2018



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:** Mr. Mark Maida
- 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)

3087-011-09 and -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)

3087-011-09 and -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)

3087-011-09 and -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 within the Specific Plan include 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:

5. 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.

6. 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.

7. 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:

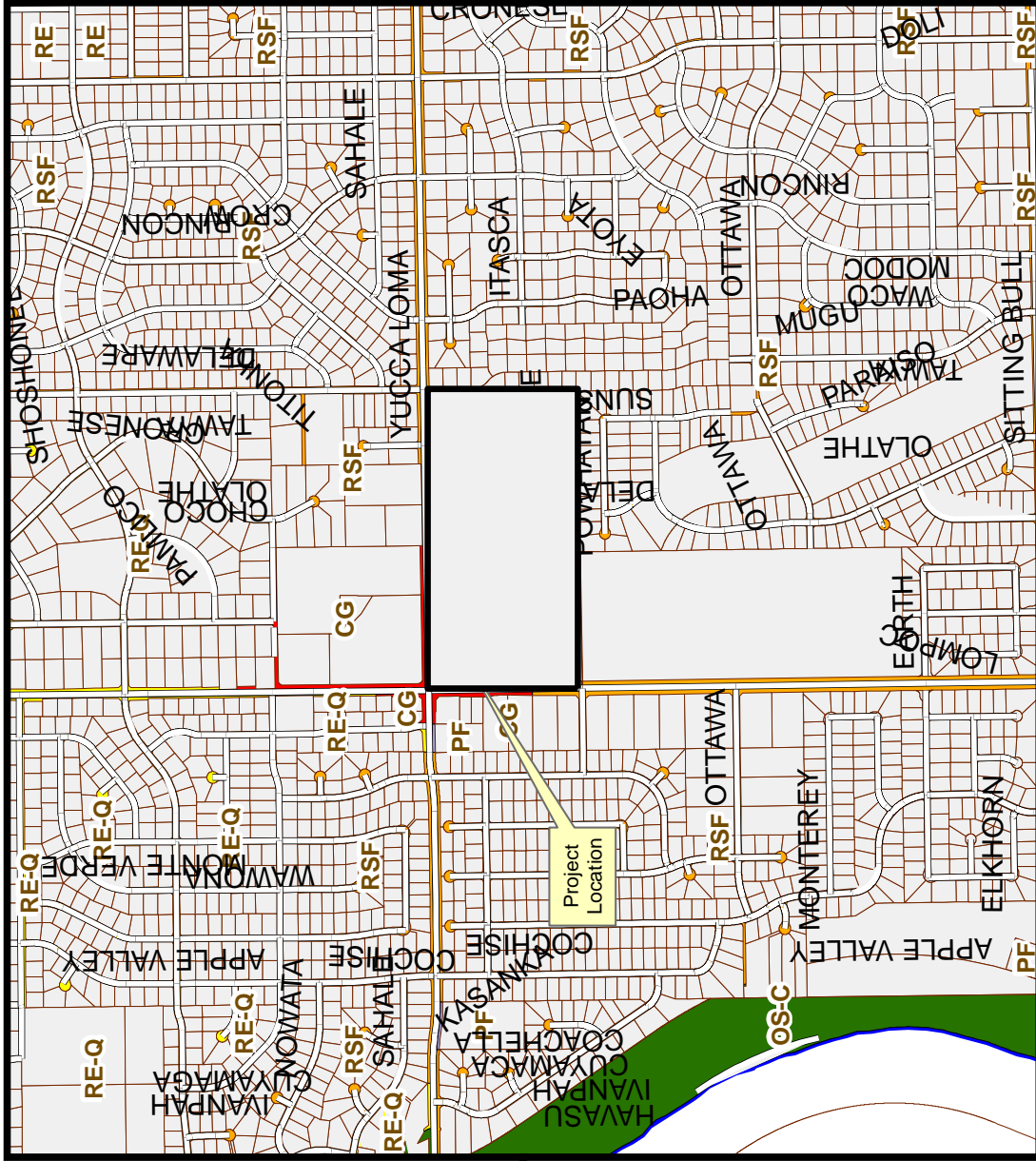
Carol Miller
Assistant Director of Community Development

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



Southeast corner of
 Apple Valley Road and
 Yucca Loma Road

APNs 3087-011-04, -07
 thru -09, -11, -17 thru 20,
 3087-012-01 thru -80



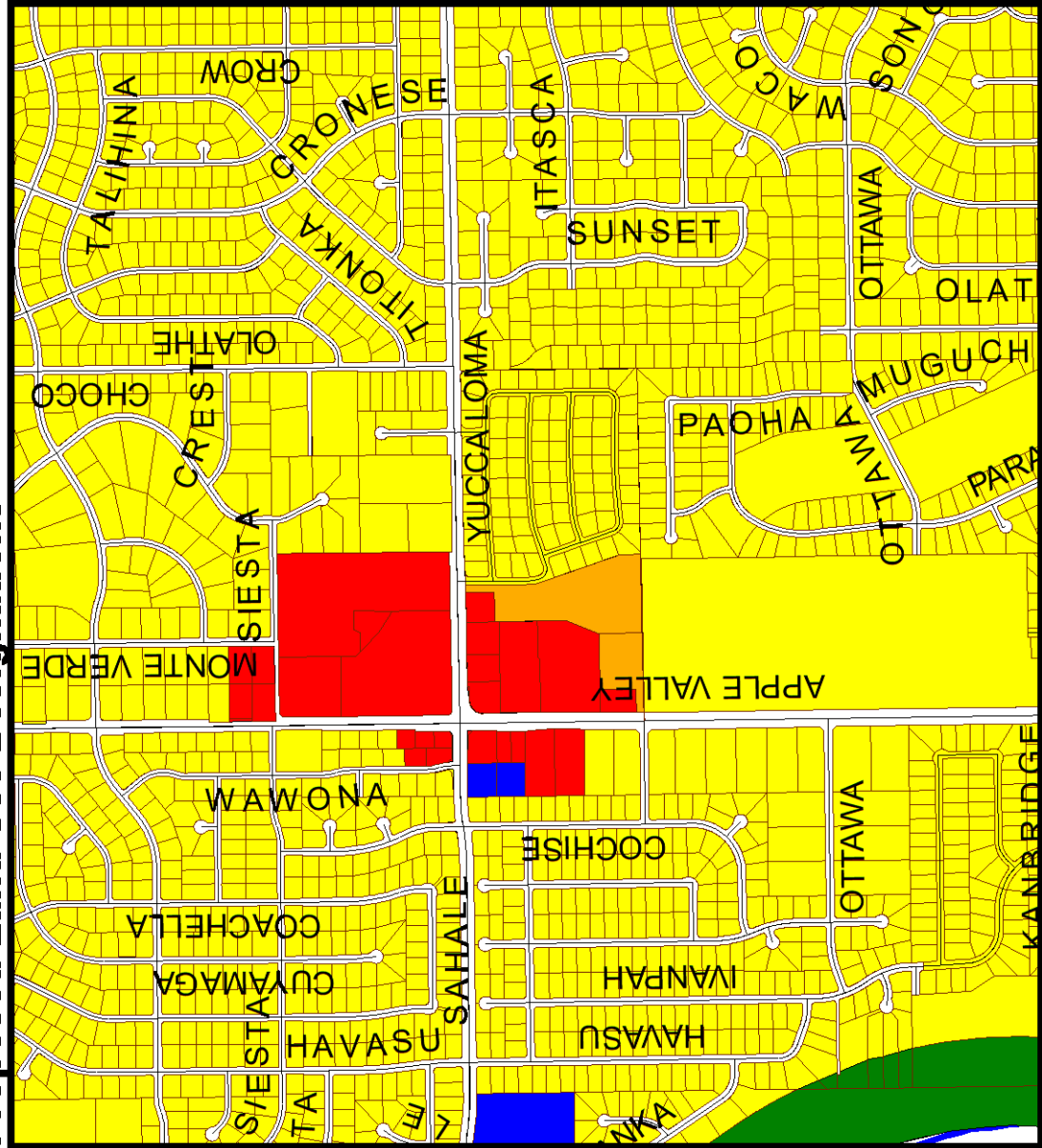
Legend

(R-E)	Estate Residential (1 du/1 to 2.5 gross acres)
(R-EQ)	Equestrian Residential (1 du/0.4 to 0.9 net acre)
(R-SF)	Single Family Residential (1 du/0.4 to 0.9 net acre)
(C-G)	General Commercial
(P-F)	Public Facilities
(OS-C)	Open Space Conservation
(SP)	Specific Plan

Date: 3/1/2018

**Exhibit A
Proposed Land Use Designations**

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

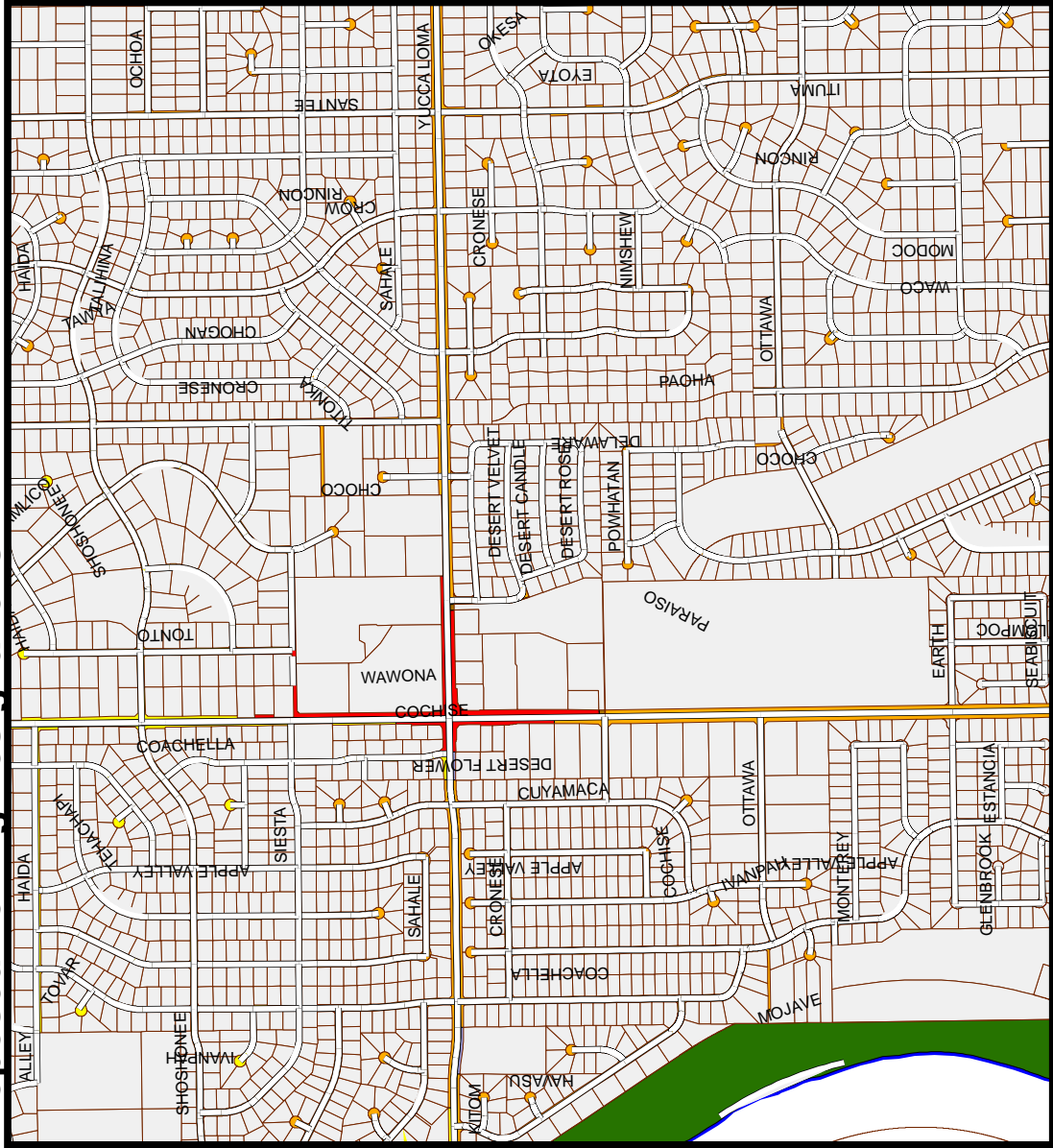


General Plan Land Use Designations

Single Family Residential
Medium Density Residential
General Commercial
Public Facility
Open Space
Single Family Residential
General Commercial
Public Facility
Open Space
Specific Plan

Exhibit B Proposed Zoning Designations

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



Zoning Designations

(R-E)	Estate Residential (1 duft to 2.5 gross acres)
(R-EC)	Equestrian Residential (1 duft to 0.9 net acre)
(R-SF)	Single Family Residential (1 duft to 0.4 to 0.9 net acre)
(R-M)	Multi-Family Residential (2 to 20 duft net acre)
(C-C)	General Commercial
(P-F)	Public Facilities
(OS-C)	Open Space Conservation

Date: 3/1/2018

TOWN OF APPLE VALLEY
NEGATIVE DECLARATION/INITIAL STUDY

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

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

Exhibit 1 – Project Location



Town of Apple Valley
February 2018

General Plan Amendment 2017-001 and Zone Change 2017-001
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.

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Tribal Cultural Resources
- Utilities/Service Systems
- 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

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.

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.

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 (NOx). 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	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 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"/>

- 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"/>

Town of Apple Valley
February 2018

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

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

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

SUBSTANTIATION:

a,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"/>
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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
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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

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 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

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"/>

Town of Apple Valley
February 2018

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

XV. TRANSPORTATION/TRAFFIC

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>

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.

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 1 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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 (VWVRA) 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 VWVRA. The VWVRA 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 VWVRA 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.

- 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 growth. The expansion project was approved and extended the landfill projected closure date from 2005 to 2081. Based on approval of the expansion at the Victorville Regional Landfill, solid waste generated by future development at the project are would have a less than significant impact on the permitted capacity.

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

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