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**TOWN OF APPLE VALLEY  
PLANNING COMMISSION AGENDA**

**WEDNESDAY, FEBRUARY 2, 2022**

**Regular Meeting 6:00 p.m.**

***Town Council Chambers***  
**14955 Dale Evans Parkway**

\*\*\*\*\*

**PLANNING COMMISSION MEMBERS**

Joel Harrison, Chairman  
Mike Arias Jr., Vice-Chairman  
Bruce Kallen, Commissioner  
B.R. "Bob" Tinsley, Commissioner  
Jared Lanyon, Commissioner

**PLANNING DIVISION OFFICE: (760) 240-7000 Ext. 7200**  
**[www.AVPlanning.org](http://www.AVPlanning.org)**

***Monday - Thursday 7:30 a.m. to 5:30 p.m.***  
***Alternating Fridays 7:30 a.m. to 4:30 p.m.***



Get a Slice of the Apple.

**TOWN OF APPLE VALLEY  
PLANNING COMMISSION AGENDA  
REGULAR MEETING  
WEDNESDAY FEBRUARY 2, 2022 – 6:00 P.M.**

**IMPORTANT COVID-19 NOTICE**

THIS MEETING IS BEING CONDUCTED CONSISTENT WITH CURRENT GUIDANCE ISSUED BY THE STATE OF CALIFORNIA REGARDING THE COVID-19 PANDEMIC. THE MEETING IS BROADCAST LIVE AND VIEWABLE ON FRONTIER CHANNEL 29 OR CHARTER SPECTRUM CHANNEL 186 AND LIVE STREAMED ONLINE AT [APPLEVALLEY.ORG](http://APPLEVALLEY.ORG). FOR INDIVIDUALS NOT PHYSICALLY PRESENT AND STILL WISHING TO MAKE PUBLIC COMMENTS, YOU MAY COMMENT IN ONE OF TWO WAYS:

1) COMMENTS AND CONTACT INFORMATION CAN BE EMAILED TO [PUBLICCOMMENT@APPLEVALLEY.ORG](mailto:PUBLICCOMMENT@APPLEVALLEY.ORG) BY 12 P.M. WEDNESDAY FEBRUARY 2, 2022, TO BE INCLUDED IN THE RECORD;

2) A REQUEST TO SPEAK CAN BE EMAILED TO THE SAME ADDRESS AS ABOVE AND AT THE TIME OF THE REQUESTED AGENDA ITEM, THE TOWN CLERK WILL PLACE A PHONE CALL TO THE COMMENTER AND ALLOW THEM TO SPEAK TO THE COUNCIL VIA SPEAKER PHONE DURING THE LIVE MEETING FOR UP TO THREE MINUTES.

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

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

**REGULAR MEETING**

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

**CALL TO ORDER**

## ROLL CALL

Commissioners: Arias \_\_\_\_\_; Tinsley \_\_\_\_\_; Lanyon \_\_\_\_\_;  
Vice-Chairman Harrison \_\_\_\_\_; Chairman Kallen \_\_\_\_\_

## PLEDGE OF ALLEGIANCE

## ELECTION OF NEW OFFICERS

1. Nomination for Chairperson
2. Nomination for Vice-Chairperson

## RECESS FOR REORGANIZATION

## APPROVAL OF MINUTES

1. Approval of the minutes of the regular meeting of January 19, 2022.

## PUBLIC COMMENTS

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

## PUBLIC HEARING ITEMS

2. **Conditional Use Permit No. 2018-011, Amendment 1.** A request for approval of an Amendment to a Conditional Use Permit to install a roof-top wireless telecommunications facility. Screening of the facility is designed to emulate a third floor to an existing two (2)-story, office building

**APPLICANT:** SAC Wireless for Verizon

**LOCATION:** 18064 Wika Road; APN 0473-462-14

### ENVIRONMENTAL

**DETERMINATION:** The project is characterized as a minor alteration to an existing structure. Therefore, pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA) Section 15301, the proposal is exempt from further environmental review.

**PREPARED BY:** Daniel Alcaayaga, AICP, Planning Manager

**RECOMMENDATION:** Approval

3. **Tentative Parcel Map No. TPM 20369.** Proposal to subdivide a 2.53-acre lot into two single-family parcels zoned Residential Equestrian (R-EQ)

**APPLICANT:** Altec Engineering

**LOCATION:** The project site is on Temecula Road, between Cholema Road and Standing Rock Avenue; APN: 3112-676-02.

**ENVIRONMENTAL**

**DETERMINATION:** Staff has determined that, pursuant to the Guidelines to Implement the California Environmental Quality Act (CEQA) Section 15315, the proposed request is Exempt from further environmental review.

**PREPARED BY:** Daniel Alcayaga, AICP, Planning Manager

**RECOMMENDATION:** Approval

4. **Development Code Amendment DCA 2022-001.** Development Code Amendment modifying Section 9.71.040(A)(8)(c) of the Development Code pertaining to Extensions of Time for Tentative Maps, and Sections 9.17.100(A) and 9.17.110(A) pertaining to Approvals and Extensions for Development Permits

**APPLICANT:** Town of Apple Valley

**LOCATION:** Town Wde

**ENVIRONMENTAL**

**DETERMINATION:** Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA [Section 15061(b)(3)].

**PREPARED BY:** Daniel Alcayaga, AICP, Planning Manager

**RECOMMENDATION:** Approval

5. **General Plan Amendment Nos. 2022-002, 2022-003, 2022-004, & 2022-005; and Zone Change Nos. 2022-001, 2022-002, 2022-003, 2022-004.**

- GPA No. 2022-002 & ZC No. 2022-001 from Office

Professional (O-P) to Multi-Family Residential (R-M) located immediately north of Quantico Road along both sides of Apple Valley Road. (APNs: 0473-152-11, 12, 15, 16 & 17 and 0473-153-11, 12,13 & 14)

- GPA No. 2022-003 & ZC No. 2022-002 from Mixed Use (M-U) to Estate Residential (R-E) located on the west side of Itoya Vista Street between Sequoia Road and Laurel Lane. (APNs: 0434-042-16, 17, 18 & 19)
- GPA No. 2022-004 & No. ZC 2022-003 from Multi-Family Residential (R-M) to Single Family Residential (R-SF) located on the south side of Outer Highway 18 and east of Tenaya Road (APNs: 0439-314-07 thru 11)
- GPA No. 2022-005 & ZC No. 2022-004 Multi-Family Residential (R-M) to Single Family Residential (R-SF) located on the northeast corner of Mohawk and Laguna Road (APN: 0434-371-14)

**APPLICANT:** Town of Apple Valley

**LOCATION:** Town Wde

**ENVIRONMENTAL**

**DETERMINATION:** Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA [Section 15061(b)(3)].

**PREPARED BY:** Daniel Alcaayaga, AICP, Planning Manager

**RECOMMENDATION:** Approval

6. **General Plan Amendment No. 2022-001.** Adopt the Housing Element Update for Housing Cycle 2021-2029.

**APPLICANT:** Town of Apple Valley

**LOCATION:** Town Wde

**ENVIRONMENTAL**

**DETERMINATION:** Based upon an Initial Study, pursuant to the State Guidelines to Implement the California Environmental Quality Act

(CEQA), an Environmental Impact Report (EIR) has been prepared for this proposal.

**PREPARED BY:** Daniel Alcayaga, AICP, Planning Manager

**RECOMMENDATION:** Approval

**OTHER BUSINESS**

**PLANNING COMMISSION COMMENTS**

**STAFF COMMENTS**

**ADJOURNMENT**

The Planning Commission will adjourn to its next regularly scheduled Planning Commission meeting on February 16, 2022.

**MINUTES  
TOWN OF APPLE VALLEY  
PLANNING COMMISSION  
REGULAR MEETING  
JANUARY 19, 2022**

**CALL TO ORDER**

Vice-Chairman Arias called to order the regular meeting of the Town of Apple Valley Planning Commission at 6:00p.m.

**Roll Call**

Present: Vice-Chairman Arias; Commissioners Kallen; Commissioner Lanyon; Commissioner Tinsley

Absent: Chairman Harrison

**Staff Present**

Daniel Alcayaga, Planning Manager; Albert Maldonado, Town Attorney; and Maribel Hernandez, Planning Commission Secretary.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Lanyon.

**PUBLIC COMMENTS**

None

**APPROVAL OF MINUTES**

1. Minutes for the Regular Meeting of December 1, 2021.

Motion by Commissioner Kallen, second by Commissioner Tinsley to approve the minutes of the December 1, 2021, meeting.

Vice-Chairman Arias Kallen abstaining from the vote.

The Motion carried by a 3-0-1-1 vote.

**ROLL CALL VOTE**

Yes: Commissioner Tinsley  
Commissioner Lanyon  
Commissioner Kallen

Noes: None  
Abstain: Vice-Chairman Arias  
Absent: Chairman Harrison

The Motion carried by a 4-0-0-1 vote.

**PUBLIC HEARING**

**2. Conditional Use Permit No. 2018-011, Amendment 1.**

Mr. Daniel Alcayaga stated the applicant requested a continuance to the meeting of February 2, 2022.

Motion by Commissioner Kallen, second by Chairman Harrison to Continue Tentative Parcel Map No. 20440 to the January 19, 2022, meeting.

**ROLL CALL VOTE**

Yes: Vice-Chairman Arias  
Commissioner Tinsley  
Commissioner Lanyon  
Commissioner Kallen

Noes: None  
Abstain: None  
Absent: Chairman Harrison

The Motion carried by a 4-0-0-1 vote.

**3. Tentative Parcel Map No. 20440.**

Mr. Daniel Alcayaga stated the applicant requested to withdraw their application.

**OTHER BUSINESS**

None

**PLANNING COMMISSION COMMENTS**

Commissioner Kallen asked about SB9.

Mr. Alcayaga said the Town Attorney is working on presenting recommendations at the next Town Council meeting.

**STAFF COMMENTS**

Mr. Alcayaga said the Housing Element would be on the agenda for the next meeting.



**ADJOURNMENT**

Motion by, Commissioner Kallen, seconded by Commissioner Lanyon to adjourn the next meeting of the Planning Commission to the February 2, 2022.

Respectfully Submitted by:

\_\_\_\_\_  
Planning Commission Secretary

Approved by:

\_\_\_\_\_  
Chairman Joel Harrison



## Planning Commission Agenda Report

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**DATE:** **February 2, 2022** **Item No. 2**  
*Continued from January 19, 2022 and December 15, 2021*

**CASE NUMBER:** Conditional Use Permit No. 2018-011, Amendment 1

**APPLICANT:** SAC Wireless for Verizon

**PROPOSAL:** A request for approval of an Amendment to a Conditional Use Permit to install a roof-top wireless telecommunications facility. Screening of the facility is designed to emulate a third floor to an existing two (2)-story, office building.

**LOCATION:** 18064 Wika Road; APN 0473-462-14

**ENVIRONMENTAL DETERMINATION:** The project is characterized as a minor alteration to an existing structure. Therefore, pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA) Section 15301, the proposal is exempt from further environmental review.

**CASE PLANNER:** Daniel Alcayaga, AICP, Planning Manager

**RECOMMENDATION:** Approval

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### PROJECT SITE AND DESCRIPTION

- A. Project Size: The proposal will occupy approximately 468 square feet of the existing 5,500 square foot roof area. The original approval was to occupy approximately 1,150 of the existing roof area.
- B. General Plan Designations:
- |                |                          |
|----------------|--------------------------|
| Project Site - | General Commercial (C-G) |
| North -        | General Commercial (C-G) |
| South -        | General Commercial (C-G) |
| East -         | General Commercial (C-G) |
| West -         | General Commercial (C-G) |
- C. Surrounding Zoning and Land Use:
- |               |   |
|---------------|---|
| Project Site- | General Commercial (C-G), Office building |
|---------------|---|

- North - General Commercial (C-G), Office Building
- South - General Commercial (C-G), Office Building
- East - General Commercial (C-G), Office Building
- West - General Commercial (C-G), Office Building

- D. Rooftop Antenna Height Analysis:

Permitted Maximum	35 Feet + 15 Feet for architectural features, subject to Planning Commission approval.
Proposed Maximum	42 Feet
  
- E. Rooftop Area Analysis:

Permitted Maximum	10 Percent of roof area.
Proposed Maximum	8.5 Percent of roof area.
  
- F. Parking Analysis:

Total Parking Required:	32 Spaces
Site Parking Provided:	32 Spaces
  
- G. Setback and Separation Analysis: Not applicable when completely concealed.

ANALYSIS

A. General:  
 On July 20, 2020, the Planning Commission approved Conditional Use Permit No. 2018-011 allowing a wireless telecommunications facility entirely within an approximately 1,150 square foot enclosure on an existing 5,500 square foot roof area. Both the wireless telecommunications antennas and associated mechanical equipment were enclosed in what was designed to appear as a third floor. This Amendment to CUP 2018-011 is requesting to occupy approximately 468 square feet of the existing roof area solely for the antennas and to place the mechanical equipment on the ground level to the rear of the building. The amendment will remove one parking space to accommodate the mechanical equipment and enclosure. The remaining parking spaces of 32 are sufficient in satisfying parking requirements.

Development Code Chapter 9.77 “Wireless Telecommunications Towers and Antennas” encourages users of towers and antenna to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening and innovative “stealth” camouflaging techniques. This Amendment maintains the stealthing configuration as encouraged by Chapter 9.77.

B. Site Analysis:  
 The project site is 0.49 acres in size and contains an existing, 8,000 square foot, two (2) story office building. The proposed wireless telecommunications antennas will be located entirely on the roof. The modifications will reduce the visual look and size

of the third floor, as well as remove one surplus parking space and replacing it with mechanical equipment and an enclosure. The parking reductions approved by the Town earlier in the year made removing one parking space possible. There are currently 33 parking spaces provided for the 8,000 square foot multi-tenant building. Under the new parking provisions, the building is required 32 parking spaces (1 space per 250 sf of gross floor area). The surplus parking can be removed to accommodate the modifications. Condition of Approval No. P7 requires that the mechanical equipment enclosure shall be made of an eight-foot-high decorative block wall.

The Development Code provides specific development standards related to towers with regard to landscape buffers, setbacks and separation distances. The nearest residential use or zoning designation is approximately 400 feet south of the project site. The closest wireless facility is located approximately 3,000 feet east of the project site. As proposed, this project will not have a tower and will be completely concealed from view. Therefore, specific setbacks and separation distances from residential districts and/or other telecommunication facilities are not applicable.

C. Architecture Analysis:

The proposed wireless facility has been designed to appear as a third level to an existing two (2)-story office building. The applicant has included matching stacked stone, arched insets with matching metal rails and cornice molding like the existing roofline. The Code requires that all rooftop equipment be screened from view from any adjoining public right-of-way or residentially zoned or used property. Consistent with the original approval, Condition of Approval No. P9 requires that the stone veneer, as shown on the front elevation, shall continue on the sides and rear sides of three-story enclosure.

The existing structure is an 8,000 square foot, two (2)-story office building. The structure has multiple roof lines with multiple roof heights with a maximum roof height of thirty-three (33) feet. The Development Code allows rooftop antennas to be a maximum of fifteen (15) feet in height above an existing building or rooftop. The proposed antenna arrays meet the height requirement at fifteen (15) feet above the roof surface. The proposed screen wall enclosure will extend nine (9) feet above the tallest roofline. This will create an overall structure height of forty-two (42) feet. The maximum building height permitted within the General Commercial (C-G) zoning designation is thirty-five (35) feet; however, the Commission can approve an additional fifteen (15) feet for architectural features, such as a screen wall.

D. Licensing & Future Reviews:

Wireless telecommunication proposals are governed by regulations of the Federal Communications Commission (FCC) and are required to transmit signals on frequencies that will not interfere with other electronic equipment (e.g., fire, police, emergency radio frequencies, etc.). The Telecommunications Act of 1996 determined that electromagnetic fields associated with wireless telecommunication facilities do not pose a health risk and are required to conform with the standards

established by the American National Standard Institute (ANSI) for safe human exposure to electromagnetic fields and radio frequencies. The applicant is conditioned to submit verification from ANSI by providing a copy of its FCC license agreement.

E. Environmental Assessment:

The project is characterized as a minor alteration to an existing structure. Therefore, pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA) Section 15301, the proposal is exempt from further environmental review.

F. Noticing:

The project was legally noticed in the Apple Valley News on December 3, 2021. On January 7, 2022, staff notified all property owners within 1,500 feet of the site for this public hearing. There has been no correspondence received regarding this proposal.

G. Conditional Use Permit Findings:

As required under Section 9.16.090 of the Development Code, prior to approval of a Conditional Use Permit, the Planning Commission must make the following Findings:

1. That the proposed location, size, design and operating characteristics of the proposed use is consistent with the General Plan, the purpose of this Code, the purpose of the zoning district in which the site is located, and the development policies and standards of the Town.

Comment: The proposed construction of rooftop wireless facility is allowed under the Town's Telecommunications Ordinance of the Development Code upon the review and approval of a Conditional Use Permit by the Planning Commission. The intent of the Development Code regulations is intended to provide reasonable criteria to assess projects while reducing visual and land use impacts associated with wireless telecommunication facilities. Wireless facilities are also identified in the Utilities Element of the General Plan. Policy 1.H states "...cellular communication towers and other major utility facilities shall be designed and sited so that they result in minimal impacts to viewsheds and minimally pose environmental hazards." As proposed, the screening is designed to emulate a third floor to an existing two (2)-story office building and is consistent with the General Plan, Development Code and zoning.

2. That the proposed location, size, design and operating characteristics of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, nor be materially injurious to properties or improvements in the vicinity, adjacent uses, residents, buildings, structures or natural resources.

Comment: The proposed unmanned wireless facility has been designed to appear an integral part of an existing two (2)-story office building. No

additional site modifications are proposed. Therefore, the location and operating characteristics of the proposed rooftop wireless facility will not be detrimental to the public health, safety or welfare, nor be materially injurious to properties or improvements in the vicinity, adjacent uses, residents, buildings, structures or natural resources

3. That there are public facilities, services and utilities available at the appropriate levels or that these will be installed at the appropriate time to serve the project as they are needed.

Comment: There are existing improvements to serve the proposed site.

4. That the generation of traffic will not adversely impact the capacity and physical character of surrounding streets and that the traffic improvements and/or mitigation measures are provided in a manner consistent with the Circulation Element of the General Plan.

Comment: Traffic generated from the unmanned wireless telecommunication facility will not adversely impact the surrounding area.

5. That there will not be significant harmful effects upon environmental quality and natural resources.

Comment: Under the State guidelines to implement the California Environmental Quality Act (CEQA), the project is not anticipated to have any direct or indirect impact upon the environment.

6. That Use Permits requiring new construction also meet the Required Findings set forth with Chapter 9.17 "Development Permits".

Comment: N/A

## RECOMMENDATION

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

1. Determine that the project is not anticipated to have any direct or indirect impact upon the environment, as it has been determined that the proposed request is Exempt from further environmental review.
2. Find the facts presented in the staff report support the required Findings for approval and adopt the Findings.
3. Approve Conditional Use Permit No. 2018-011, Amendment 1
4. Direct staff to file a Notice of Exemption.

**ATTACHMENTS:**

1. Recommended Conditions of Approval
2. Proposed Plans
3. Photo-simulation
4. Zoning Map

Town of Apple Valley

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Recommended Conditions of Approval

Conditional Use Permit No. 2018-011, Amendment 1

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

**Planning Division Conditions of Approval**

- P1. This project shall comply with the provisions of State law and the Town of Apple Valley Development Code and the General Plan. This conditional approval, if not exercised, shall expire three (3) years from the date of action of the reviewing authority, unless otherwise extended pursuant to the provisions of application of State law and local ordinance. The extension application must be filed, and the appropriate fees paid, at least sixty (60) days prior to the expiration date. The Conditional Use Permit becomes effective ten (10) days from the date of the decision unless an appeal is filed as stated in the Town's Development Code.
- P2. The applicant shall defend, at its sole expense (with attorneys approved by the Town), hold harmless and indemnify the Town, its agents, officers and employees, against any action brought against the Town, its agents, officers or employees concerning the approval of this project or the implementation or performance thereof, and from any judgment, court costs and attorney's fees which the Town, its agents, officers or employees may be required to pay as a result of such action. The Town may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve the applicant of this obligation under this condition.
- P3. It is the sole responsibility of the applicant on any Permit, or other appropriate discretionary review application for any structure, to submit plans, specifications and/or illustrations with the application that will fully and accurately represent and portray the structures, facilities and appurtenances thereto that are to be installed or erected if approved by the Commission. Any such plans, specifications and/or illustrations that are reviewed and approved by the Planning Commission at an advertised public hearing shall accurately reflect the structures, facilities and appurtenances expected and required to be installed at the approved location without substantive deviations, modifications, alterations, adjustments or revisions of any nature.
- P4. The filing of a Notice of Exemption requires the County Clerk to collect a documentary handling fee of fifty dollars (\$50.00). The fee must be paid in a timely manner in accordance with Town procedures. No permits may be issued until



such fee is paid. The check shall be delivered to the Town for processing and made payable to the Clerk of the Board of Supervisors 385 N Arrowhead Ave # 2, San Bernardino, CA 92415.

- P5. The approval of Conditional Use Permit No. 2018-011, Amendment 1 by the Planning Commission is recognized as acknowledgment of Conditions of Approval by the applicant, unless an appeal is filed in accordance with Section 9.12.250, *Appeals*, of the Town of Apple Valley Development Code.
- P6. Prior to issuance of a building permit, the applicant shall provide the Building Division with a copy of the building plans in an electronic format compatible with the Town's current technology.
- P7. All outdoor mechanical and electrical equipment whether rooftop, side of structure, or on the ground, shall be screened from view from the public street by architectural elements designed to be an integral part of the building. The enclosure for the ground floor mechanical equipment shall be made of an eight-foot-high decorative block wall.
- P8. The rendering(s) presented to and approved by the Planning Commission at the public hearing shall be the anticipated and expected appearance of the structure upon completion.
- P9. The arched insets shall include a bottom sill and ironwork matching the existing structure. The stone veneer, as shown on the front elevation, shall continue the sides and rear sides of three-story enclosure. The openings on the sides of the antenna enclosure shall be enclosed and can be replaced with a single door painted to match enclosure.
- P10. The Community Development Director or his/her designee shall have the authority for minor architectural changes focusing around items such as window treatments, color combinations, façade treatments, and architectural relief. Questions on the interpretation of this provision or changes not clearly within the scope of this provision shall be submitted to the Planning Commission for consideration under a Revision to the Conditional Use Permit.
- P11. The screen wall shall be maintained in good repair free of any visual weathering or decay. The property owner shall assume ultimate responsibility for all required maintenance.
- P12. Conditional Use Permit No. 2018-011, Amendment 1 may be reviewed annually or more often, if deemed necessary by the Community Development Department, to ensure compliance with the conditions contained herein. Additional conditions may be recommended to and imposed by the Planning Commission to mitigate any negative impacts resulting from the business operations not contained within the scope of this permit.

- P13. The applicant shall supply verification with the American National Standards Institute (ANSI) by providing a copy of its FCC license agreement prior to issuance of Certificate of Occupancy.
- P14. In the event the antenna(s) becomes obsolete and/or abandoned, the provider shall remove the antenna(s) and all related mechanical equipment and return the site to its original state, or an improved state, within thirty (30) days of abandonment.

### **Building and Safety Conditions of Approval**


- BC.1 Submit plans, engineering and obtain permits for all structures, retaining walls, signs
- BC.2 Construction must comply with California Building Codes in effect at the time of plan review.
- BC.3 Best Managements Practices (BMP's) are required for the site during construction.

### **Apple Valley Fire Protection District Conditions of Approval**

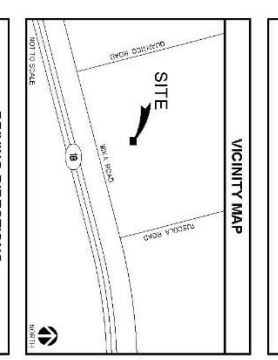
- FD1. The above referenced project is protected by the Apple Valley Fire Protection District. Prior to construction occurring on any parcel, the owner shall contact the Fire District for verification of current fire protection development requirements.
- FD2. All new construction shall comply with applicable sections of the California Fire Code, California Building Code, Development Code, Community Plans, and other statutes, ordinances, rules, and regulations regarding fires and fire prevention adopted by the State, County, Town of Apple Valley, or Apple Valley Fire Protection District.
- FD3. All combustible vegetation, such as dead shrubbery and dry grass, shall be removed from each building site a minimum distance of thirty (30) feet from any combustible building material, including the finished structure. This does not apply to single specimens of trees, ornamental shrubbery, or similar plants, which are used as ground cover if they do not form a means of transmitting fire.
- FD4. An approved fire sprinkler system shall be installed throughout the addition and shall be supervised and connected to an approved alarm monitoring station and provide local alarm which will give an audible signal at a protected location. Supervision to be both water flow and tamper. Sprinkler work may not commence until approved plans and permits have been issued by the Fire District.
- FD5. Provide an N.F.P.A. 704 Placard identifying the Hazardous Materials for the batteries.

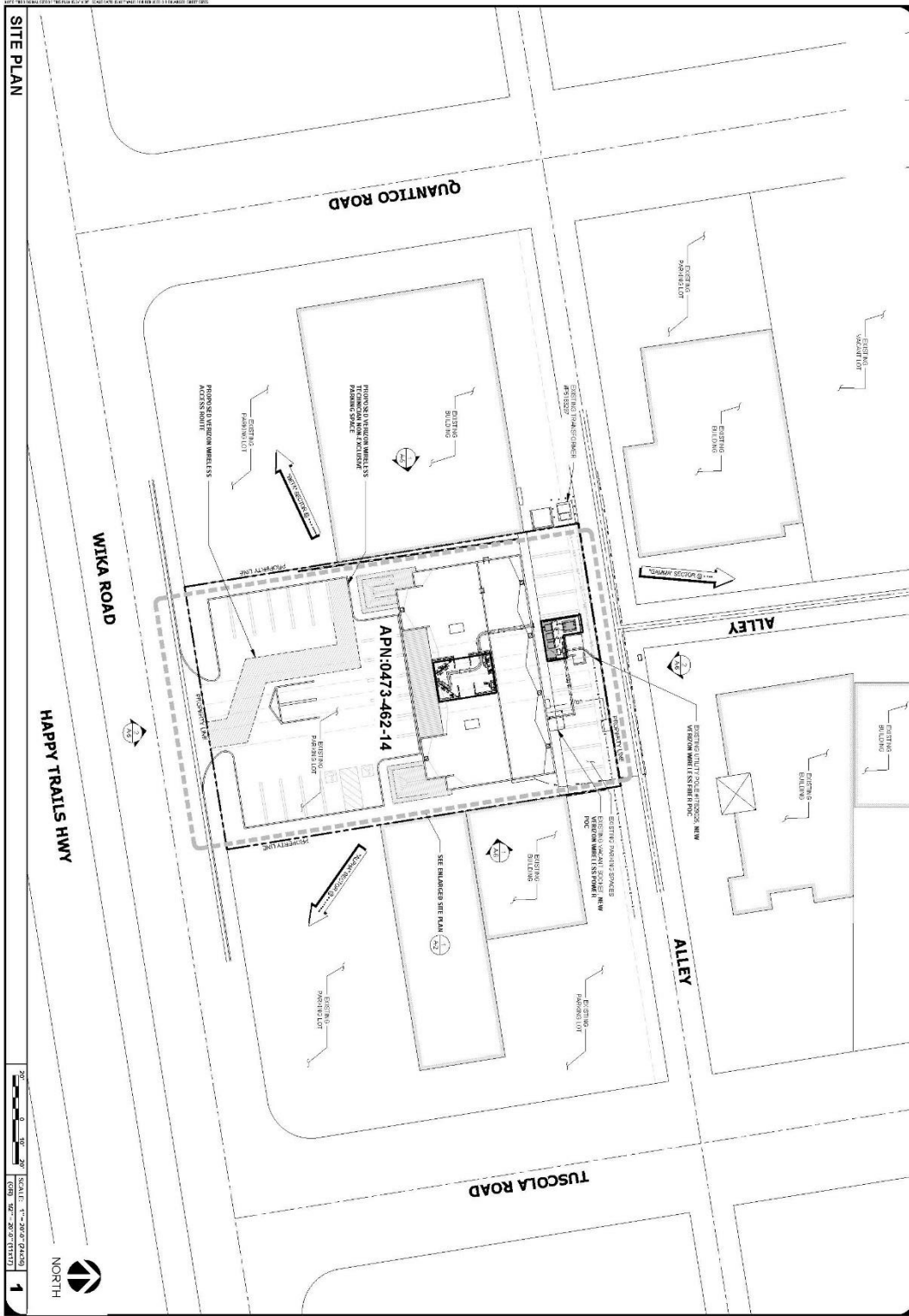
FD6. Provide one (1) 2A10BC minimum rating fire extinguisher and serviced by a certified company.

**End of Conditions**



**MUNI**  
MCE  
(MTX 45 / BSC -19)  
18064 WIKA RD  
APPLE VALLEY, CA 92307

<p><b>PROJECT TEAM</b></p> <p><b>SITE ACQUISITION:</b> SUN WEST ELLI, LLC 18064 WIKA RD, APPLE VALLEY, CA 92307 TEL: 951-261-3333 WWW.SUNWESTELLI.COM CONTACT: SHERIDAN@SUNWESTELLI.COM</p> <p><b>ARCHITECT:</b> SUN WEST ELLI, LLC 18064 WIKA RD, APPLE VALLEY, CA 92307 TEL: 951-261-3333 WWW.SUNWESTELLI.COM CONTACT: SHERIDAN@SUNWESTELLI.COM</p> <p><b>UTILITY COORDINATOR:</b> VERIZON 18064 WIKA RD, APPLE VALLEY, CA 92307 TEL: 951-261-3333 WWW.SUNWESTELLI.COM</p>	<p><b>PROJECT DESCRIPTION</b></p> <p>THE PROJECT IS A PROPOSED 100% WIRELESS TELECOMMUNICATIONS FACILITY TO BE LOCATED AT THE INTERSECTION OF WIKA ROAD AND SAND CANYON AVENUE IN APPLE VALLEY, CALIFORNIA. THE PROJECT WILL CONSIST OF THE INSTALLATION OF ONE (1) WIRELESS TELECOMMUNICATIONS TOWER AND ONE (1) WIRELESS TELECOMMUNICATIONS CABINETS. THE PROJECT WILL BE USED TO PROVIDE WIRELESS TELECOMMUNICATIONS SERVICES TO THE PUBLIC.</p>	<p><b>PROJECT SUMMARY</b></p> <p><b>APPLICANT:</b> SUN WEST ELLI, LLC <b>PROJECT NAME:</b> WIRELESS TELECOMMUNICATIONS FACILITY <b>PROJECT ADDRESS:</b> 18064 WIKA RD, APPLE VALLEY, CA 92307 <b>PROJECT TYPE:</b> WIRELESS TELECOMMUNICATIONS FACILITY</p> <p><b>APPLICANT'S REPRESENTATIVE:</b> SUN WEST ELLI, LLC 18064 WIKA RD, APPLE VALLEY, CA 92307 TEL: 951-261-3333 WWW.SUNWESTELLI.COM CONTACT: SHERIDAN@SUNWESTELLI.COM</p> <p><b>PROPERTY OWNER:</b> SUN WEST ELLI, LLC 18064 WIKA RD, APPLE VALLEY, CA 92307 TEL: 951-261-3333 WWW.SUNWESTELLI.COM CONTACT: SHERIDAN@SUNWESTELLI.COM</p> <p><b>PROPERTY INFORMATION:</b> APPLICANT'S PROPERTY ADDRESS: 18064 WIKA RD, APPLE VALLEY, CA 92307 PROJECT ADDRESS: 18064 WIKA RD, APPLE VALLEY, CA 92307 PROJECT TYPE: WIRELESS TELECOMMUNICATIONS FACILITY</p>	<p><b>GENERAL CONTRACTOR NOTES</b></p> <p>CONTRACTOR SHALL VERIFY ALL PERMITS ARE OBTAINED AND CONDITIONS OF THE PERMITS ARE MET BEFORE THE WORK BEGINS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES AND AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES AND AGENCIES.</p>	<p><b>CODE COMPLIANCE</b></p> <p>THE PROJECT SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS. THE PROJECT SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS. THE PROJECT SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS.</p>	<p><b>CONSTRUCTION DRAWINGS</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>SHEET</th> <th>DESCRIPTION</th> <th>REV</th> </tr> </thead> <tbody> <tr> <td>T-1</td> <td>TITLE SHEET</td> <td>1</td> </tr> <tr> <td>C-1</td> <td>SITE PLAN</td> <td>1</td> </tr> <tr> <td>C-2</td> <td>SITE SURVEY</td> <td>1</td> </tr> <tr> <td>A-1</td> <td>UTILITY PLAN</td> <td>1</td> </tr> <tr> <td>A-2</td> <td>PLANNED SITE PLAN</td> <td>1</td> </tr> <tr> <td>A-3</td> <td>POU PLAN</td> <td>1</td> </tr> <tr> <td>A-4</td> <td>EQUIPMENT AND INSTALLATION</td> <td>1</td> </tr> <tr> <td>A-5</td> <td>FOUNDATION AND FOOTING</td> <td>1</td> </tr> <tr> <td>A-6</td> <td>FOUNDATION AND FOOTING</td> <td>1</td> </tr> </tbody> </table>	SHEET	DESCRIPTION	REV	T-1	TITLE SHEET	1	C-1	SITE PLAN	1	C-2	SITE SURVEY	1	A-1	UTILITY PLAN	1	A-2	PLANNED SITE PLAN	1	A-3	POU PLAN	1	A-4	EQUIPMENT AND INSTALLATION	1	A-5	FOUNDATION AND FOOTING	1	A-6	FOUNDATION AND FOOTING	1
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<p><b>VERIZON WIRELESS SIGNATURE BLOCK</b></p> <p>DATE: 02/02/22 TIME: 10:00 AM LOCATION: 18064 WIKA RD, APPLE VALLEY, CA 92307 PROJECT: WIRELESS TELECOMMUNICATIONS FACILITY</p>	<p><b>VICINITY MAP</b></p> 	<p><b>DRIVING DIRECTIONS</b></p> <p>FROM THE INTERSECTION OF WIKA ROAD AND SAND CANYON AVENUE: 1. GO EAST ON WIKA ROAD FOR APPROXIMATELY 0.5 MILES. 2. TURN LEFT ON WIKA ROAD. 3. GO EAST ON WIKA ROAD FOR APPROXIMATELY 0.5 MILES. 4. TURN LEFT ON WIKA ROAD. 5. GO EAST ON WIKA ROAD FOR APPROXIMATELY 0.5 MILES. 6. TURN LEFT ON WIKA ROAD.</p>	<p><b>ISSUE STATUS</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>STATUS</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>02/02/22</td> <td>ISSUE</td> <td>1</td> </tr> <tr> <td>2</td> <td>02/02/22</td> <td>REVISION</td> <td>1</td> </tr> <tr> <td>3</td> <td>02/02/22</td> <td>REVISION</td> <td>1</td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION	STATUS	1	02/02/22	ISSUE	1	2	02/02/22	REVISION	1	3	02/02/22	REVISION	1																
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<p><b>811</b> Know what's below. Call before you dig. www.811.com</p>	<p><b>verizon</b> 15505 SAND CANYON AVENUE IRVINE, CA 92618</p>	<p><b>SIC</b> SUN WEST ELLI, LLC 18064 WIKA RD, APPLE VALLEY, CA 92307 TEL: 951-261-3333 WWW.SUNWESTELLI.COM</p>	<p><b>MUNI</b> 18064 WIKA RD APPLE VALLEY, CA 92307</p>																																

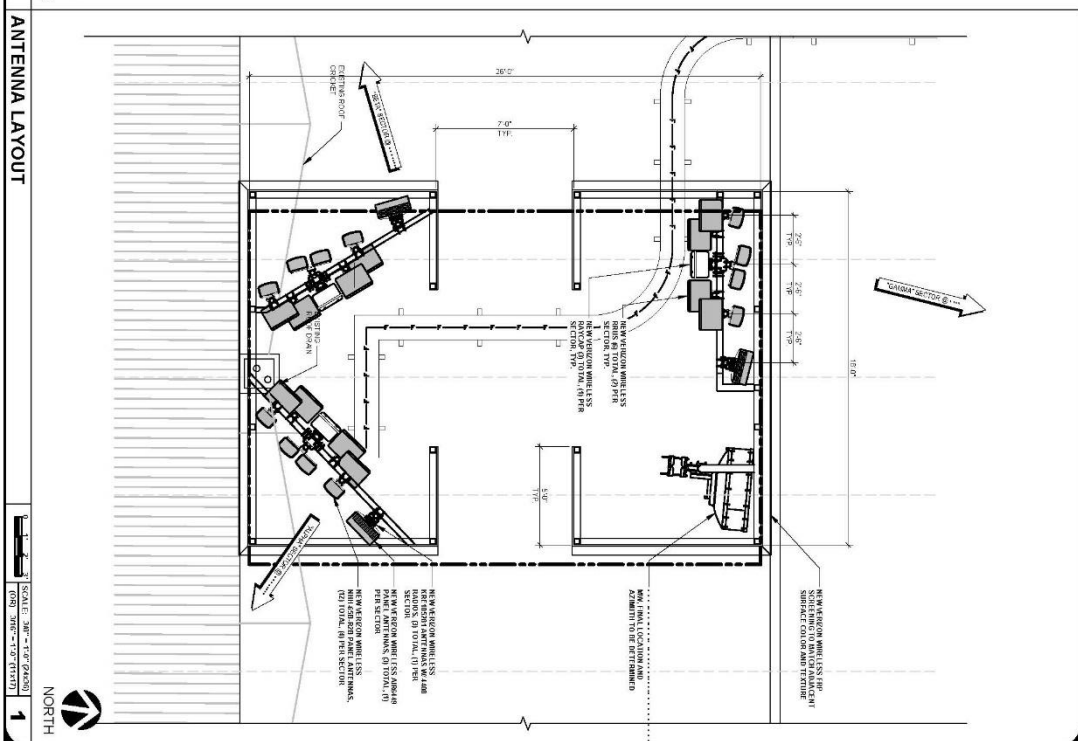
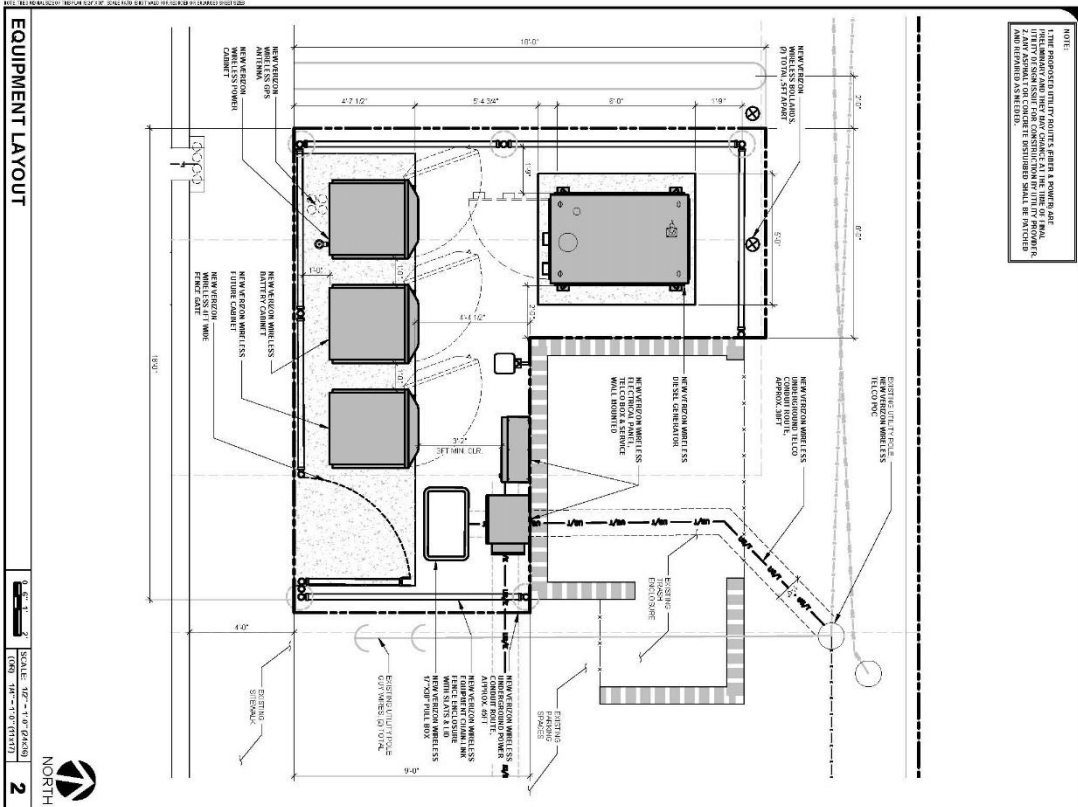


<p><b>A-1</b></p>	<p>SHEET TITLE <b>SITE PLAN</b></p>	<p><b>MUNI</b>                  18064 WIKA RD.                  APPLE VALLEY, CA 92307</p>	<p><b>verizon</b>                  15505 SAND CANYON AVENUE                  IRVINE, CA 92618</p>	<p><b>PROJECITARY INFORMATION</b>                  PROJECT NO. 2022-011                  DATE: 02/02/22</p>	<p><b>ISSUE STATUS</b></p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>02/02/22</td> <td>PRELIMINARY REVIEW</td> </tr> </table>	NO.	DATE	DESCRIPTION	1	02/02/22	PRELIMINARY REVIEW
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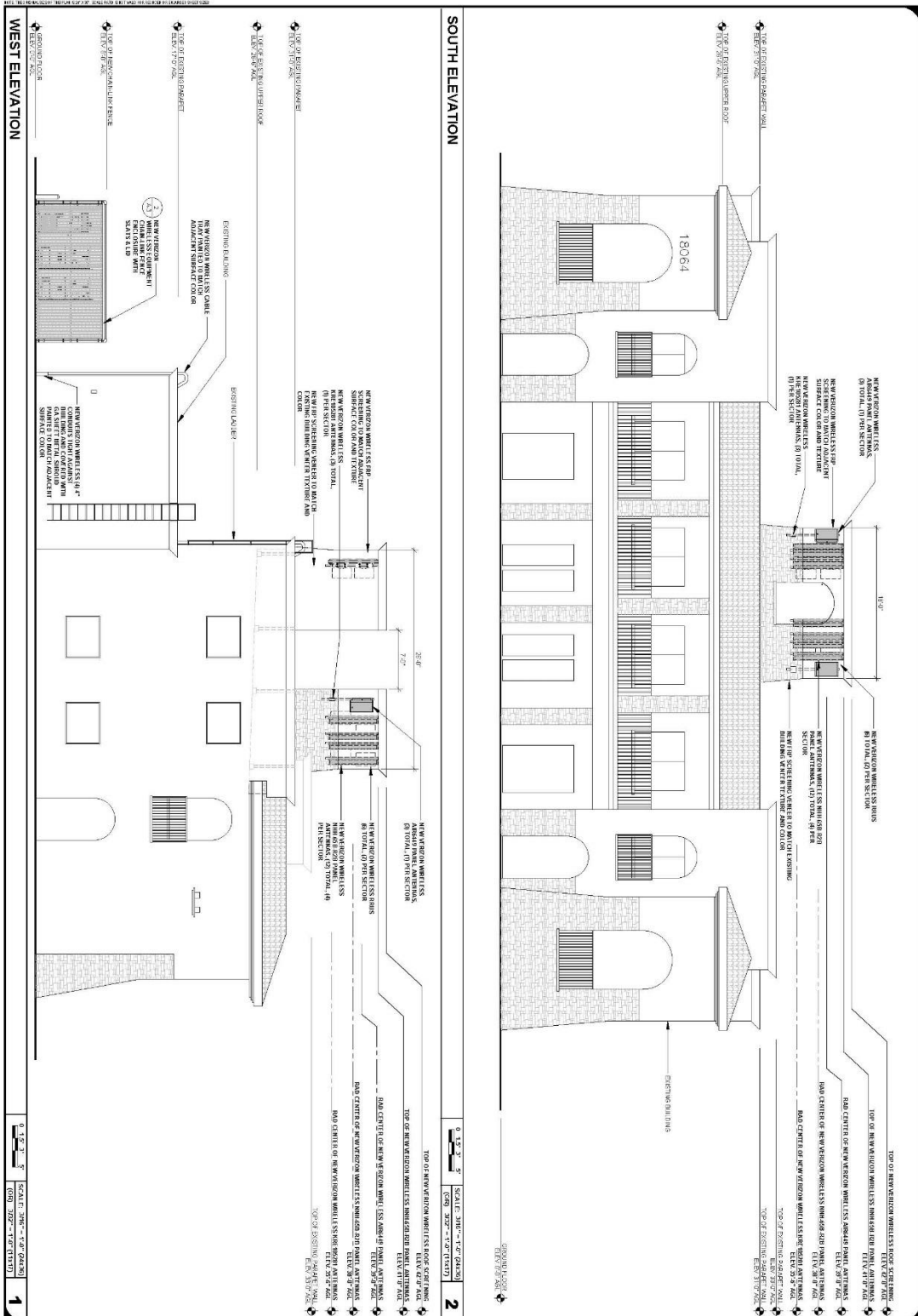
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EQUIPMENT LAYOUT

ANTENNA LAYOUT

<p><b>verizon</b>                  15505 SAND CANYON AVENUE                  IRVINE, CA 92618</p>	<p><b>SIC</b>                  Aerial Company                  18064 WILKA RD.                  APPLE VALLEY, CA 92307</p>	<p><b>ISSUE STATUS</b></p>	
		<p>DATE: 02/02/22</p>	<p>DESCRIPTION: 2022-02-02</p>
<p><b>MUNI</b>                  18064 WILKA RD.                  APPLE VALLEY, CA 92307</p>		<p><b>A-4</b></p>	





ISSUE STATUS			
NO.	DATE	DESCRIPTION	BY
0	10/15/21	ISSUE FOR REVIEW	JE

**MUNI**

18064 WILKA RD.  
APPLE VALLEY, CA 92307

15505 SAND CANYON AVENUE  
IRVINE, CA 92618

Architectural  
Engineering  
Interior Design  
Landscape Architecture  
Planning

SHEET TITLE: SOUTH & WEST ELEVATIONS

A-5





PHOTOSIMULATION VIEWPOINT 1



DISCLAIMER: THIS PHOTOSIMULATION IS INTENDED AS A GRAPHICAL REPRESENTATION OF EXISTING AND PROPOSED SITE CONDITIONS BASED ON THE PROJECT / DRAWING PLANS. IT IS NOT INTENDED FOR CONSTRUCTION. ACTUAL, FINAL CONSTRUCTION MAY VARY



MUNI  
MCE  
(MTX 45 / BSC 19)  
18094 WIKIA RD  
APPLE VALLEY CA92297



EXISTING



NEW



NEW VERIZON WIRELESS PANEL ANTENNAS, MICROWAVE ANTENNA, PRIS AND RAYCAPS WITHIN NEW FSP SCREENING

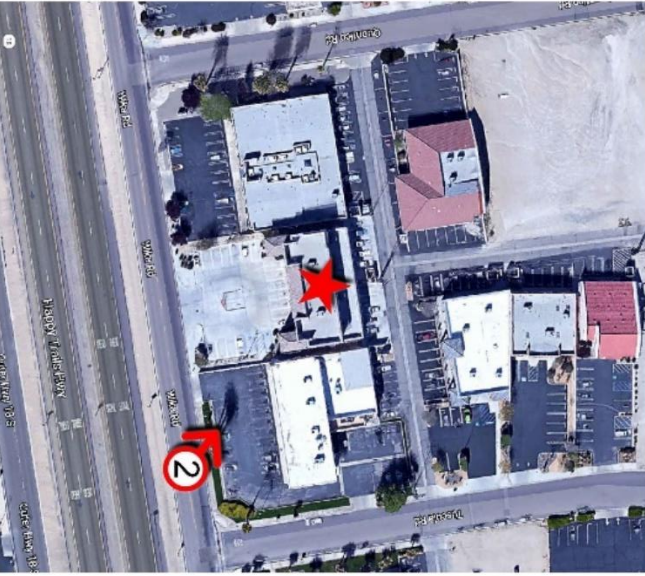
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NOTE:  
NEW VERIZON WIRELESS EQUIPMENT CABINET, DIESEL GENERATOR, CHAMBLINK FENCE ENCLOSURE WISLATS & LID (LOCATED ON GROUND LEVEL, NOT SHOWN IN CURRENT VIEW)

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PHOTOSIMULATION VIEWPOINT 2



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MUNI  
MCE  
(MTX 45 / BSC 19)  
19054 WIKKA RD  
APPLE VALLEY CA 92297



EXISTING



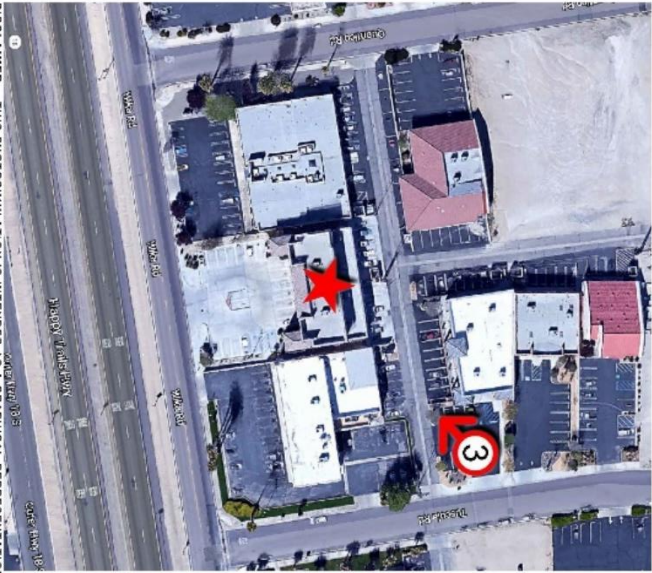
NEW

- NEW VERIZON WIRELESS FFP SCREENING TO MATCH ADJACENT SURFACE COLOR AND TEXTURE
- NEW VERIZON WIRELESS FFP SCREENING VENEER TO MATCH EXISTING BUILDING VENEER TEXTURE AND COLOR
- NEW VERIZON WIRELESS PANEL ANTENNAS TO MATCH ADJACENT SURFACE COLOR AND TEXTURE
- NEW VERIZON WIRELESS FFP SCREENING WITHIN NEW FFP SCREENING

NOTE: VERIZON WIRELESS (V) EQUIPMENT CABINETS, DIESEL GENERATOR, NEW ELECTRICAL PANEL, TELCO BOX & SERVICE WITHIN NEW EQUIPMENT CHAIN-LINK FENCE ENCLOSURE, WISLATS & LID (LOCATED ON GROUND LEVEL, NOT SHOWN IN CURRENT VIEW)



PHOTOSIMULATION VIEWPOINT 3



DISCLAIMER: THIS PHOTOSIMULATION IS INTENDED AS A GRAPHICAL REPRESENTATION OF EXISTING AND PROPOSED SITE CONDITIONS BASED ON THE PROJECT / DRAWING PLANS. IT IS NOT INTENDED FOR CONSTRUCTION. ACTUAL, FINAL CONSTRUCTION MAY VARY.



MUNI  
MOBILE  
OFFICE (R)  
(MTC & MISC. R)  
18054 APPLE RD  
APPLE VALLEY, CA 92307



A MALL COMPANY  
ARCHITECTURE & INTERIOR  
DESIGN, CONSTRUCTION  
MANAGEMENT

EXISTING



NEW

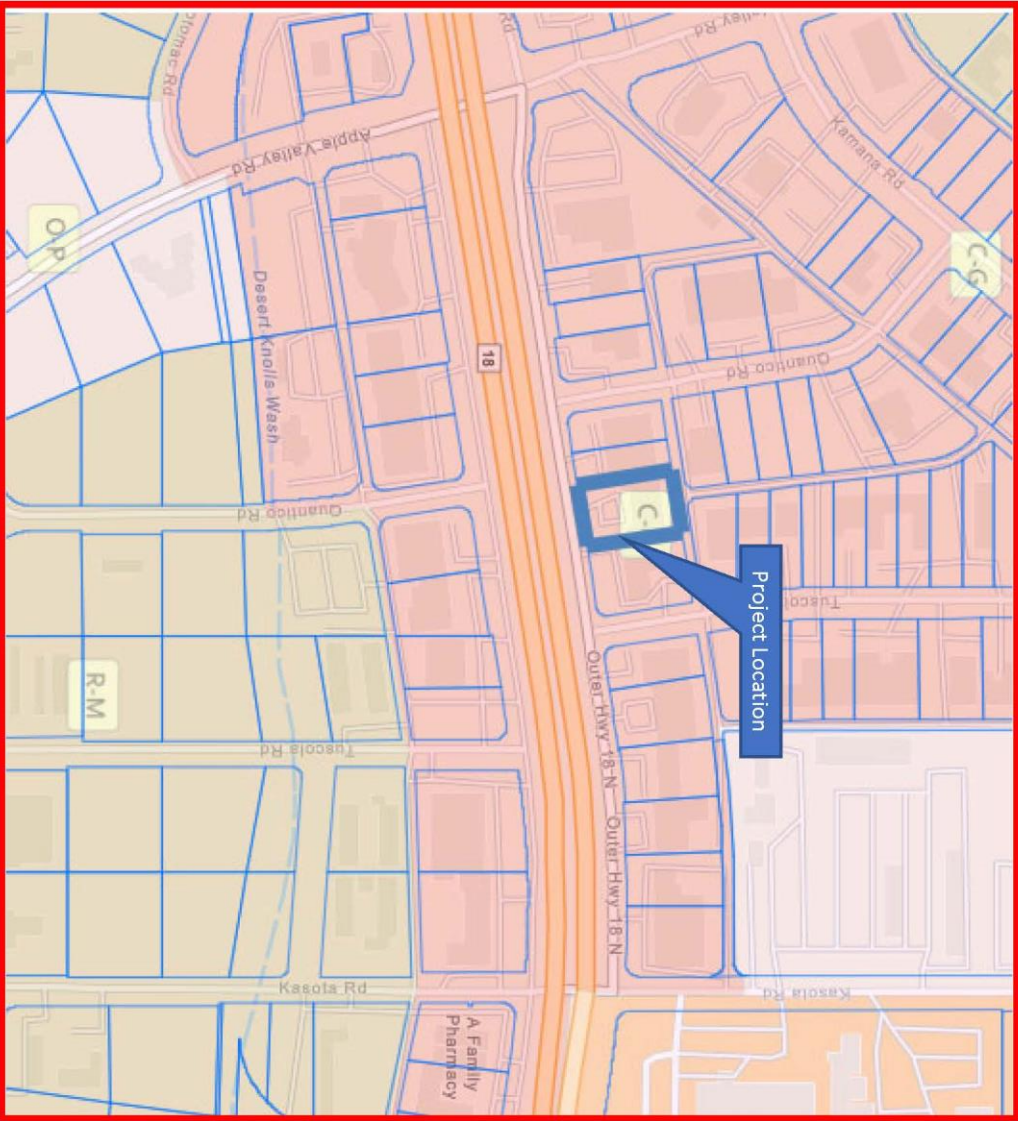


NEW VERIZON WIRELESS FFP SCREENING  
VENUES TO MATCH EXISTING BUILDING  
VENUES TEXTURE AND COLOR

NEW VERIZON WIRELESS FFP SCREENING  
TO MATCH ADJACENT SURFACE  
COLOR AND TEXTURE

NOTE:  
- VERIZON WIRELESS (1) EQUIPMENT CABINET'S, DIESEL, GENERATOR,  
NEW ELECTRICAL PANEL, TELCO BOX & SERVICE WITHIN NEW EQUIPMENT  
CHAIN-LINK FENCE ENCLOSURE W/SLATS & LID  
LOCATED ON GROUND LEVEL, NOT SHOWN IN CURRENT VIEW

# ZONING/LOCATION MAP



Conditional Use Permit  
 2018-011 Amendment 1



18064 Wika Rd  
 0473-462-14-0000



- Legend**
- (C) General Commercial
  - (R-M) Multi-Family Residential 2 or 20 Units
  - (OP) Office Professional

Date: 12/09/2021





## Planning Commission Agenda Report

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Date: February 2, 2022 Item No. 3

To: Planning Commission

Case Number: Tentative Parcel Map No. 20369

Applicant: Altec Engineering

Proposal: A request to approve a Tentative Parcel Map to subdivide a 2.53-acre parcel into two (2) single-family residential lots with a lot size of 1.15 acres. The project is located within the Residential Equestrian (R-EQ) zoning designation.

Location: The project site is located on the east side of Temecula Road between Cholema Road and Standing Rock Avenue; APN: 3112-676-02.

Environmental Determination: Staff had determined that, pursuant to the Guidelines to Implement the California Environmental Quality Act (CEQA) Section 15315, Minor Land Division, the proposed request is Exempt from further environmental review.

Prepared By: Daniel Alcayaga, AICP, Planning Manager

Recommendation: Approval

---

### PROJECT SITE AND DESCRIPTION

- A. Project Size:  
The existing parcel is approximately 2.53 acres in size.
- B. General Plan Designations:  
Project Site - Single Family Residential (R-SF)  
North - Single Family Residential (R-SF)  
South - Single Family Residential (R-SF)

East - Single Family Residential (R-SF)  
West – Single Family Residential (R-SF)

C. Surrounding Zoning and Land Use:

Project Site - Equestrian Residential (R-EQ), Vacant Lot  
North - Equestrian Residential (R-EQ), Vacant Lot  
South - Equestrian Residential (R-EQ), Single-family residence  
East - Equestrian Residential (R-EQ), Single-family residence  
West - Equestrian Residential (R-EQ), Single-family residence

D. Site Characteristics:

The existing site is currently vacant and consists mainly of sparse vegetation. The property is relatively flat with no apparent drainage courses. There is an existing waterline along the frontage of the property, and a power line to the south of the property along Temecula Road. The surrounding properties consists of residential properties to the south, west, and east. Properties to the north consists of vacant lots.

ANALYSIS

A. General:

The applicant is requesting Planning Commission review and approval of a Tentative Parcel Map that will subdivide 2.53 acres into two (2) lots. The project is located within the Equestrian Residential (R-EQ) zoning designation and proposes a minimum lot size of 1.15 acres. The Equestrian Residential (R-EQ) zoning designation requires that each lot is a minimum of 18,000 square feet or .4 net acre in size, with a minimum lot width of 100 feet and a minimum lot depth of 150 feet. The Local Agency Management Plan (LAMP) requires new subdivisions to have lot sizes that are a minimum of 1 acre in size when not connected to sewer.

The proposed subdivision will create three (2) parcels:

- Parcel 1 will be 50,305 square feet or 1.15 acres in size with a lot width of 164.8 feet and a lot depth of 305.24 feet.
- Parcel 2 will be 50,302 square feet or 1.15 acres in size with a lot width of 164.8 feet and a lot depth of 305.22 feet.

The lot configurations proposed are consistent with the requirements shown in Table 9.28.040-A *Site Development Standards* and Figure 9.28.040-B *Varied Setbacks* of the Town's Municipal Code. The proposed lots comply with the Development Code standards.

1. Traffic and Circulation

The project site has approximately 329.6 feet of frontage on Temecula Road, which is a paved allowing access to the proposed subdivision. Development Code Section 9.71.020 – *General Subdivision Standards* states the following:

“D.1 Street layout and design shall be consistent with the Circulation



Element of the General Plan and surrounding developments, except that curbs, gutters and sidewalks shall not be required for parcel map recordation unless specifically conditioned by the Commission for consistency with surrounding development at the time of Tentative Parcel Map approval.”

The proposed subdivision is located along Temecula Road, between Cholema Road and Standing Rock Avenue; there is no curb, gutter or sidewalk along or adjacent to the proposed subdivision. The Engineering Department is not recommending any additional street improvements for this subdivision. The Engineering Department is requesting a thirty (30') foot road dedication be granted to the Town on Temecula Road.

2. Drainage

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

3. Sewer Connection

The proposed subdivision is proposing the use of septic tanks systems for future residences. The proposed lot sizes allow for the use of underground disposal systems. No additional improvements are recommended by the Public Works Division.

Based upon the information provided, implementation of development standards and Conditions of Approval, the proposed two (2)-lot subdivision will not produce adverse impacts upon the site nor surrounding properties. The project site is designated for single-family development and is within the Equestrian Residential (R-EQ) zone. Adjacent to the project site are Equestrian Residential (R-EQ) zoning designations, which will allow the property owner to develop the site in a manner that is consistent with the Town's goals and objectives to promote single-family residential development.

B. Environmental Assessment:

Pursuant to Section 15315 of the Guidelines to Implement the California Environmental Quality Act (CEQA), Minor Land Division, the proposed request is Exempt from further environmental review.

C. Noticing:

The public hearing for proposed Tentative Parcel Map No. 20369 was legally noticed on January 21, 2022.

D. Findings:

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

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

Comment: The subject property has a General Plan land use designation of Single Family Residential (R-SF) and zoning designation of Equestrian Residential (R-EQ) and, by its size, shape and configuration, the property has the ability to be used in a manner consistent with the General Plan Land Use Element and zoning designations. The project is a proposal to divide 2.53 acres into two (2) 1.15 acre lots and, with adherence to the recommended conditions, will meet the minimum requirements for lot size, width and depth as prescribed by the Code.

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

Comment: The proposal consists of a land subdivision located on residentially designated land for the purpose of future residential development at the density allowed by the underlying zoning (.4 to .9 dwelling units per acre). The proposed subdivision will allow the property owner to develop the property in a manner that is consistent with the Town's General Plan Goals and Objectives to promote single-family residential development.

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

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

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

Comment: The project is a residential land subdivision. Public sewer is not available to site at this time; however, the proposed lot sizes allow for the use of underground disposal systems according to the Town of Apple Valley's adopted Local Agency Management Plan or LAMP. Therefore, the project will not affect the existing sewer system.

### RECOMMENDATION

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

1. Find that pursuant to the California Environmental Quality Act (CEQA), Section No. 15315, the proposed request is Exempt from further environmental review.
2. Find the Facts presented in the staff report support the required Findings for approval and adopt the Findings.
3. Approve Tentative Parcel Map No. 20369, subject to the attached Conditions of Approval.
4. Direct Staff to file the Notice of Exemption.

### ATTACHMENTS:

1. Recommended Conditions of Approval
2. Tentative Parcel Map
3. Zoning Map

TOWN OF APPLE VALLEY

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**RECOMMENDED CONDITIONS OF APPROVAL**  
**Tentative Parcel Map No. 20369**

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

**Planning Division Conditions of Approval**

- P1. This tentative subdivision shall comply with the provisions of the State Subdivision Map Act and the Town Development Code. This tentative approval shall expire three (3) years from the date of approval by the Planning Commission/Town Council. A time extension may be approved in accordance with the State Map Act and Town Ordinance, if an extension application is filed and the appropriate fees are paid thirty (30) days prior to the expiration date. The Tentative Parcel Map becomes effective ten (10) days from the date of the decision unless an appeal is filed as stated in the Town's Development Code.
- P2. Prior to approval of the Final Map, the following agencies shall provide written verification to the Planning Division that all pertinent conditions of approval and applicable regulations have been met:
  - a. Apple Valley Fire Protection District
  - b. Golden State Water Company
  - c. Apple Valley Public Works Division
  - d. Apple Valley Engineering Division
  - e. Apple Valley Planning Division
- P3. The filing of a Notice of Exemption requires the County Clerk to collect a documentary handling fee of fifty dollars (\$50.00). The fee must be paid in a timely manner in accordance with Town procedures. The check shall be delivered to the Planning Division for processing and be made payable to the Clerk of the Board of Supervisors, 385 North Arrowhead, 2nd Floor, San Bernardino, CA 92415.
- P4. Tentative Parcel Map No. 20369 shall adhere to all requirements of the Development Code.
- P5. The applicant shall defend at his sole expense (with attorneys approved by the Town) and indemnify the Town against any action brought against the Town, its agents, officers or employees resulting from or relating to this approval. The applicant shall reimburse the Town, its agents, officers or employees for any

judgment, court costs and attorney's fees which the Town, its agents, officers or employees may be required to pay as a result of such action. The Town may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of these obligations under this condition.

- P6. Approval of the Tentative Parcel Map No. 20369 by the Planning Commission is understood as acknowledgement of Conditions of Approval by the applicant, unless an appeal is filed in accordance with Section 9.12.250, Appeals, of the Town of Apple Valley Development Code.
- P7. Development of the parcel is subject to the Town's Interim Local Policy and Procedures on the Western Joshua Tree published July 21, 2021 or amendment thereof.
- P8. The project shall conform to the Equestrian Residential (R-EQ) development standards for front, side and rear yard-building setbacks.
- P9. If the tract/parcel map is adjacent to existing development, a fence/wall plan shall be submitted with the grading and landscape/irrigation plans to identify how new fencing or walls will relate to any existing fences or walls located around the perimeter of the tract/parcel map. The developer shall be required to connect to the existing fencing/walls or collaborate with the adjacent property owners to provide new fencing/walls and remove the existing fence/wall, both options at the developer's expense. Double fencing shall be avoided and review and approval of the fencing/wall plan is required prior to issuance of grading permits.
- P10. All new development of residential structures shall be designed and constructed in compliance with the "Single Family Infill Plotting Criteria" and will be subject to the review and approval by the Planning Division.
- P11. Landscape and irrigation plans shall be submitted prior to the issuance of Building Permits in accordance with Chapter 9.31 "Residential Design Standards" and Chapter 9.75 "Water Conservation/Landscape Regulations" of the Development Code and installed prior to issuance of occupancy permits subject to approval by the Planning Division.
- P11. On-site septic systems shall be designed and constructed in compliance with the "OWTS Design and Construction Standards" for Septic Tanks of the adopted Local Agency Management Program or LAMP prior to issuance of occupancy permits subject to approval by the Building & Safety Division.

**Environmental & Regulatory Compliance Conditions of Approval**

- ER1. Pursuant to AVMC § 8.19.020(a) et seq., the construction contractor shall complete and submit a Waste Management Plan ("WMP"), on a WMP form approved by the Town for this purpose as part of the application packet for the building or tenant

- ER2. Pursuant to AVMC § 8.19.050 and prior to the issuance of a Certificate of Occupancy, the contractor shall submit documentation proving that the project has met the diversion requirement. The diversion requirement shall be at least fifty percent (50%) of the total C&D debris generated by the project via reuse or recycling.
- ER3. Pursuant to AVMC § 6.20.021, each occupied residential household shall participate in the Town's solid waste and recyclables collection service offered by the Town's franchise solid waste hauler. Contact Burrtec Waste Industries at (760)245-8607 for further information.
- ER4. Pursuant to AVMC 6.20.160, each and every residential unit shall provide adequate screening for at least one trash, one recyclables and, in anticipation of SB 1383, one organics waste cart.

**Engineering Division Conditions of Approval**

- EC1. A 30-ft wide half-width road dedication along Temecula Road shall be granted to the Town of Apple Valley prior to Final Map Approval.
- EC2. An encroachment permit shall be obtained from the Town prior to performing any work in any public right of way.
- EC3. The developer shall present evidence to the Town Engineer that he has made a reasonable effort to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.
- EC4. Utility lines shall be placed underground in accordance with the requirements of the Town. (Municipal Code Section 14.28)

**Building and Safety Department Conditions of Approval**

- BC1. An engineered grading report including soils report shall be submitted to and approved by the Building Official prior to recordation of the final map or issuance of permits for grading in excess of 1000 cubic yards.
- BC2. Grading and drainage plans including a soils report must be submitted to and approved by the Building Department and Engineering Department prior to grading permit issuance.
- BC3. Submit plans, engineering, and obtain permits for all structures, retaining walls, signs...
- BC4. A pre-construction permit and inspection are required prior to any land disturbing activity to verify requirements for erosion control, flood hazard, native plant protection, and desert tortoise habitat.
- BC5. A Notice of Intent (NOI) and a Storm Water Prevention Plan (SWPP) must be

submitted to and approved by the Engineering and Building Departments prior to issuance of a grading permit and/or any land disturbance.

- BC6. All utilities shall be placed underground in compliance with Town Ordinance No. 89.
- BC7. All cross lot drainage requires easements and may require improvements at the time of development.

**Fire Protection District Conditions of Approval**

- FD1. The above referenced project is protected by the Apple Valley Fire Protection District. Prior to construction occurring on any parcel, the owner shall contact the Fire District for verification of current fire protection development requirements.
- FD2. All new construction shall comply with applicable sections of the California Fire Code, California Building Code, and other statutes, ordinances, rules, and regulations regarding fires and fire prevention adopted by the State, County, or Apple Valley Fire Protection District.
- FD3. The development and each phase thereof shall have two points of paved access for fire and other emergency equipment, and for routes of escape which will safely handle evacuations. Each of these points of access shall provide an independent route into the area in which the development is located. This shall be completed prior to any combustible construction.
- FD4. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background.

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

- FD5. Plans for fire protection systems designed to meet the fire flow requirements specified in the Conditions of Approval for this project shall be submitted to and approved by the Apple Valley Fire Protection District and water purveyor prior to the installation of said systems.
  - A. Unless otherwise approved by the Fire Chief, on-site fire protection water systems shall be designed to be looped and fed from two (2) remote points.
  - B. System Standards:
    - \*Fire Flow 1500 GPM @ 20 psi Residual Pressure on 8" minimum water main size.
    - Duration 1 Hour
    - Hydrant Spacing 660 Feet

- FD6. **NFPA 13D (RESIDENTIAL AUTOMATIC FIRE SPRINKLER SYSTEM): REQUIRED**

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

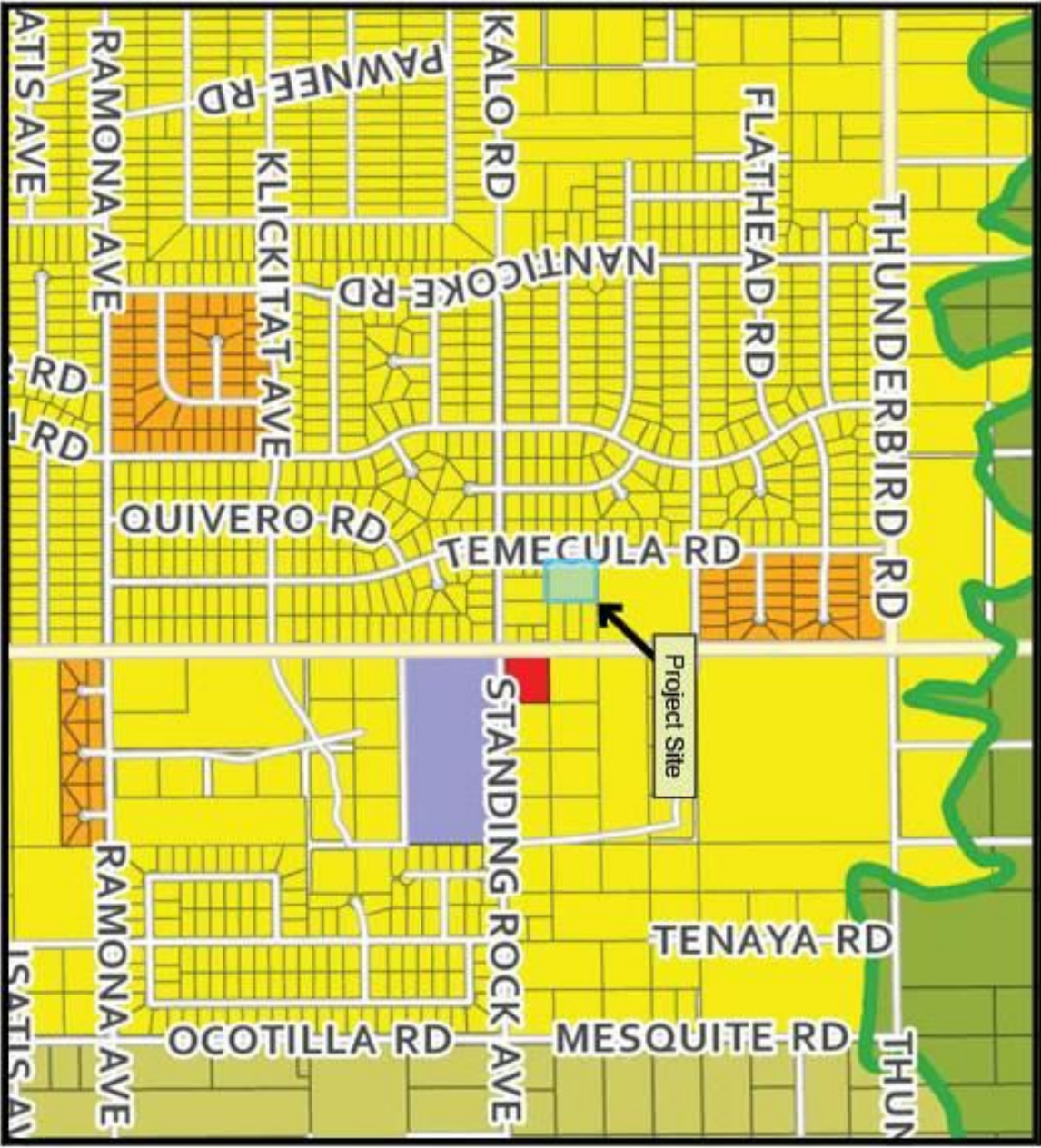
- FD7. A letter shall be furnished to the Fire District from the water purveyor stating that the required fire flow for the project can be met prior to the Formal Development Review Committee meeting.
- FD8. Apple Valley Fire Protection District Final Subdivision/Tract/Development fees shall be paid to the Fire District prior to final map acceptance according to the current Apple Valley Fire Protection District Fee Ordinance.

**END OF CONDITIONS**





# ZONING/LOCATION MAP



Tentative Parcel Map 20369

APN: 3112-676-02



**Legend**

	Public	State/County/Local
	Residential	Single-Family Detached
	Residential	Single-Family Attached
	Residential	Medium-Density Residential
	Residential	Mobile Home
	Residential	Open Space/Conservation
	Residential	Open Space/Conservation
	Residential	Open Space/Conservation
	Residential	Open Space/Conservation
	Residential	Open Space/Conservation

Date: 01/24/2022



## Planning Commission Agenda Report

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**Date:** February 2, 2022 Item No. 4

**To:** Planning Commission

**Case Number:** Development Code Amendment DCA 2022-001

**Applicant:** Town of Apple Valley

**Proposal:** Development Code Amendment modifying Section 9.71.040(A)(8)(c) of the Development Code pertaining to Extensions of Time for Tentative Maps, and Sections 9.17.100(A) and 9.17.110(A) pertaining to Approvals and Extensions for Development Permits

**Location:** City-wide

**Environmental Determination:** Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA [Section 15061(b)(3)].

**Prepared By:** Daniel Alcayaga, AICP, Planning Manager

**Recommendation:** Recommend Approval to the Town Council

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The intent of this Development Code Amendment is to make the life of approvals and expiration dates consistent for all Development Permits, Special Use Permits, Conditional Use Permits, Tentative Tract Maps, and Tentative Parcel Maps. The Development Code currently provides varying approvals and expiration dates of either two or three years and allows subdivisions to expire a year earlier than other land use entitlements or permits. The Amendments will provide such land use entitlements to expire within three years of the approval date and will qualify for two, two-year extensions. Under the Amendments, subdivisions associated with an adopted Specific Plan would be granted the maximum six years allowed by the Subdivision Map Act. This is because Specific Plans are long range documents/plans involving specialized land use and infrastructure plans. The Amendments

are consistent with Section 66452.6(e) of the California Subdivision Map Act that allows the Town to extend tentative maps for a period not to exceed a total of six years beyond the original expiration date.

As currently written in the Development Code, Development Permits (DP) as well as Special Use Permits (SUP) and Conditional Use Permits (CUP) have a total life of seven years, as shown on Table 1. This includes the original life of the approval, plus two extensions. For subdivisions (i.e. tentative maps), the Development Code provides tentative tract and tentative parcel maps a total of six years of life. This includes three years as part of the original approval, plus a three-year extension.

**Table 1  
Total Life of Land Use Entitlements (Existing Code)**

	<b>Original Approval</b>	<b>1<sup>st</sup> Extension</b>	<b>2<sup>nd</sup> Extension</b>
<b>DP (Section 9.17.110)</b>	<b>2</b>	<b>3</b>	<b>2</b>
<b>SUP/CUP (Section 9.16.155)</b>	<b>3</b>	<b>2</b>	<b>2</b>
<b>Subdivisions</b>	<b>3</b>	<b>3</b>	

It is common that a development proposal will include all, or a combination, of the land use entitlements shown in Table 1. In such cases, varying timeframes causes some confusion and inconsistencies as the total life of the approvals are different – six years for subdivisions vs. seven years for DP/SUP/CUPs.

In the case of the Gateway Project, the associated DP and SUP which was already extended twice will expire on April 6, 2023, but their Tentative Parcel Map expires April 6, 2022 (a year earlier than the DP and SUP). The Development Code Amendment will modify Section 9.71.040(A)(8) to align the life of subdivisions to match the seven years provided to DPs, SUPs, and CUPs.

**Recommendation: Amend the Development Code as follows (changes in red):**

Amend Section 9.71.040(A)(8)(c) to state the following:

Time Limit of Extensions. Any extension(s) of a Tentative Map approval shall not exceed an aggregate of ~~three (3)~~ **four (4) years** beyond the original expiration date., **and six years for tentative maps associated with an adopted Specific Plan. Extensions issued under this sub-section shall be in two-year increments.**



**Amend Section 9.17.100(A) to state:**

**Expiration.** A Development Permit approval shall expire ~~two (2)~~ **three (3)** years following the date the permit is issued unless it is otherwise conditioned or unless prior to the expiration of ~~two (2)~~ **three (3)** years:

**Amend Section 9.17.110(A) to state:**

A. Upon written request received no later than sixty (60) days prior to the original expiration date, the Community Development Director may grant an automatic Extension of Time to an approved Development Permit. The Development Permit may be extended beyond the applicable expiration date by ~~three (3)~~ **two (2)** years.

Environmental Assessment

Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA [Section 15061(b)(3)].

RECOMMENDATION

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

1. Find that pursuant to the California Environmental Quality Act (CEQA), the activity is not subject to CEQA pursuant to Section 15061(b)(3).
2. Recommend that the Town Council approve Development Code Amendment DCA 2022-001.

**ATTACHMENTS:**

1. Planning Commission Resolution No. 2022-001

# ATTACHMENT 1

## PLANNING COMMISSION RESOLUTION NO. 2022- 001

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF APPLE VALLEY, CALIFORNIA, RECOMMENDING THAT THE TOWN COUNCIL AMEND TITLE 9 “DEVELOPMENT CODE” OF THE TOWN OF APPLE VALLEY MUNICIPAL CODE, BY AMENDING SECTION 9.71.040(A)(8) PERTAINING TO EXTENSION OF TIMES FOR TENTATIVE MAPS, AND SECTIONS 9.17.100(A) AND 9.17.110(A) PERTAINING TO APPROVALS AND EXTENSIONS FOR DEVELOPMENT PERMITS**

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

**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**, Development Code Amendment No. DCA-2022-001 is consistent with the General Plan and Municipal Code of the Town of Apple Valley; and

**WHEREAS**, Specific changes are proposed to the Development Code of the Town of Apple Valley Municipal Code by amending Chapter 9.71 “Subdivision Regulations”, Section 9.71.040(A)(8) pertaining to extensions of times for tentative maps; and

**WHEREAS**, On January 21, 2022, Development Code Amendment No. DCA-2022-001 was duly noticed in the Daily Press, a newspaper of general circulation within the Town of Apple Valley; and

**WHEREAS**, Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA [Section 15061(b)(3)]; and

**WHEREAS**, On February 2, 2022, the Planning Commission of the Town of Apple Valley conducted a duly noticed and advertised public hearing on Development Code Amendment No. DCA-2022-001, receiving testimony from the public and adopted Planning Commission Resolution No. 2022-001 recommending adoption of this Resolution; and

**WHEREAS**, Development Code Amendment No. DCA-2022-001 are consistent with the Land Use Element goals and policies of the Town’s 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.** Find that the changes proposed by Development Code Amendment No. DCA-2022-001 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan.

**Section 2.** Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA (Section 15061(b)(3)); and

**Section 3.** Amend the Development Code as follows:

**Amend Section 9.71.040(A)(8)(c) to state the following:**

Time Limit of Extensions. Any extension(s) of a Tentative Map approval shall not exceed an aggregate of ~~three (3)~~ **four (4) years** beyond the original expiration date-, **and six years for tentative maps associated with an adopted Specific Plan. Extensions issued under this sub-section shall be in two-year increments.**

**Amend Section 9.17.100(A) to state the following:**

**Expiration.** A Development Permit approval shall expire ~~two (2)~~ **three (3)** years following the date the permit is issued unless it is otherwise conditioned or unless prior to the expiration of ~~two (2)~~ **three (3)** years:

**Amend Section 9.17.110(A) to state the following:**

Upon written request received no later than sixty (60) days prior to the original expiration date, the Community Development Director may grant an automatic Extension of Time to an approved Development Permit. The Development Permit may be extended beyond the applicable expiration date by ~~three (3)~~ **two (2)** years.

Approved and Adopted by the Planning Commission of the Town of Apple Valley this 2<sup>nd</sup> day of February 2022.

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Chairman Joel Harrison

ATTEST:

I, \_\_\_\_\_, 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 2nd day of February 2022 by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Planning Commission Secretary





## Planning Commission Agenda Report

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**Date:** February 2, 2022 Item No. 5

**To:** Planning Commission

**Case Number:** General Plan Amendment No. GPA 2022-002 & Zone Change No. ZC 2022-001; GPA 2022-003 & ZC 2022-002; GPA 2022-004 & ZC 2022-003; & GPA 2022-005 & ZC 2022-004

**Applicant:** Town of Apple Valley

**Proposal:** GPA 2022-002 & ZC 2022-001 from Office Professional (O-P) to Multi-Family Residential (R-M) located immediately north of Quantico Road along both sides of Apple Valley Road (APNs: 0473-152-11, 12, 15, 16 & 17 and 0473-153-11, 12,13 & 14)

GPA 2022-003 & ZC 2022-002 from Mixed Use (M-U) to Estate Residential (R-E) located on the west side of Itoya Vista Street between Sequoia Road and Laurel Lane (APNs: 0434-042-16, 17, 18 & 19)

GPA 2022-004 & ZC 2022-003 from Multi-Family Residential (R-M) to Single Family Residential (R-SF) located on the south side of Outer Highway 18 and east of Tenaya Road (APNs: 0439-314-07 thru 11)

GPA 2022-005 & ZC 2022-004 Multi-Family Residential (R-M) to Single Family Residential (R-SF) located on the northeast corner of Mohawk and Laguna Road (APN: 0434-371-14)

**Location:** City-wide

**Environmental Determination:** Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA [Section 15061(b)(3)].

**Prepared By:** Daniel Alcayaga, AICP, Planning Manager

**Recommendation:** Recommend Approval to the Town Council

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In discussions with some of property owners affected by the General Plan Amendments and Zone Changes, staff agreed to initiate these Amendments to resolve constraints endured by multiple properties. In three of the four Amendments, the properties are either zoned Multi-Family Residential (R-M) or Mixed Use (MU), but do not have necessary sewer to construct multi-family residential developments and/or are surrounded by existing single-family residences. In updating the Housing Element, it was determined that such vacant sites no longer are required to be zoned for Multi-Family Residential or Mixed Use by the California Department of Housing and Community Development (HCD) in the upcoming Housing Cycle 2021—2029. In light of these lessening restrictions, the Amendments would allow single-family residences to be constructed on properties previously set aside for multi-family or mixed use developments.

Item 5A involves reverting to R-M Zoning since the three of the properties already contain existing multi-family developments. The remaining vacant properties appear to be viable for new multi-family developments being that the properties are near to sewer and surrounded by existing multi-family developments.

Maps are provided for the Amendments as part of the Resolution.

**Item 5A. GPA. 2022-002 & ZC 2022-001 from Office Professional (O-P) to Multi-Family Residential (R-M) located immediately north of Quantico Road along both sides of Apple Valley Road. (APNs: 0473-152-11, 12, 15, 16 & 17 and 0473-153-11, 12,13 & 14)**

In the 2009 General Plan Update, a total of nine parcels were designated and zoned Office Professional (O-P) on the General Plan Land Use Map and Zone Map. It was brought to the Town’s attention that three properties that were affected by the OP zoning contained existing multi-family developments. Dr. Joseph Eiswert owns two parcels, one of which contains an existing multi-family development, and one of which is vacant. Dr. Eiswert requested that the Town revert the zoning back to Multi-Family Residential (R-M) as originally intended prior to the 2009 General Plan Update. After reviewing the request, Town staff agreed that a General Plan Amendment and a Zone Change would be initiated to R-M upon adoption of the 2021 Housing Element Update, since sewer is readily available and surrounded by similar developments.

**Item 5B. GPA 2022-003 & ZC 2022-002 from Mixed Use (M-U) to Estate Residential (R-E) located on the west side of Itoya Vista Street between Sequoia Road and Laurel Lane. (APNs: 0434-042-16, 17, 18 & 19)**

These four parcels are currently designated and zoned Mixed Use (MU). Three of the four parcels contain existing single-family residences. The new owner of one of the properties, known as APN: 0434-042-18, would like to construct a single-family residence consistent with the adjacent properties to the north and west. The General Plan states that “residential development (in the M-U District) must occur at a density of 4 to 30 units per acre.”

A General Plan Amendment and Zone Change is being initiated from M-U to Estate Residential (R-E) covering the four properties to allow the remaining parcel to construct a single-family residence. The Amendments would bring three remaining properties with existing residences into conformance with the zone, as the minimum lot size in the R-E zone is 1 acre and the parcels in question range in size from 1.12 to 1.23 acres.

**Item 5C. GPA 2022-004 & ZC 2022-003 from Multi-Family Residential (R-M) to Single Family Residential (R-SF) located on the south side of Outer Highway 18 and east of Tenaya Road (APNs: 0439-314-07 thru 11)**

These five parcels are zoned Multi-Family Residential (R-M). Sewer is located 1,800 to 2,400 feet to the west on Central Road and Highway 18 making multi-family development on these properties infeasible. The Housing Element Update does not identify the properties as necessary for future multi-family developments to meet the State's housing mandates. Re-zoning of these properties to R-SF will make the property ready for development and new construction of single-family homes will be consistent with development patterns to the south.

**Item 5D. GPA 2022-005 & ZC 2022-004 Multi-Family Residential (R-M) to Single Family Residential (R-SF) located on the northeast corner of Mohawk and Laguna Road (APN: 0434-371-14)**

Even though the property is currently zoned R-M, a multi-family development is not possible unless a sewer extension is made from 3,200 feet to the east or 4,000 feet to the west. The property owner requested that the property be rezoned to R-SF to be able to construct a single-family residence. The zoning would be consistent with properties to the south. It is not feasible to expand the rezone over the parcels to the east and west because they are already developed with existing apartments.

Environmental Assessment

Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA [Section 15061(b)(3)].

RECOMMENDATION

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

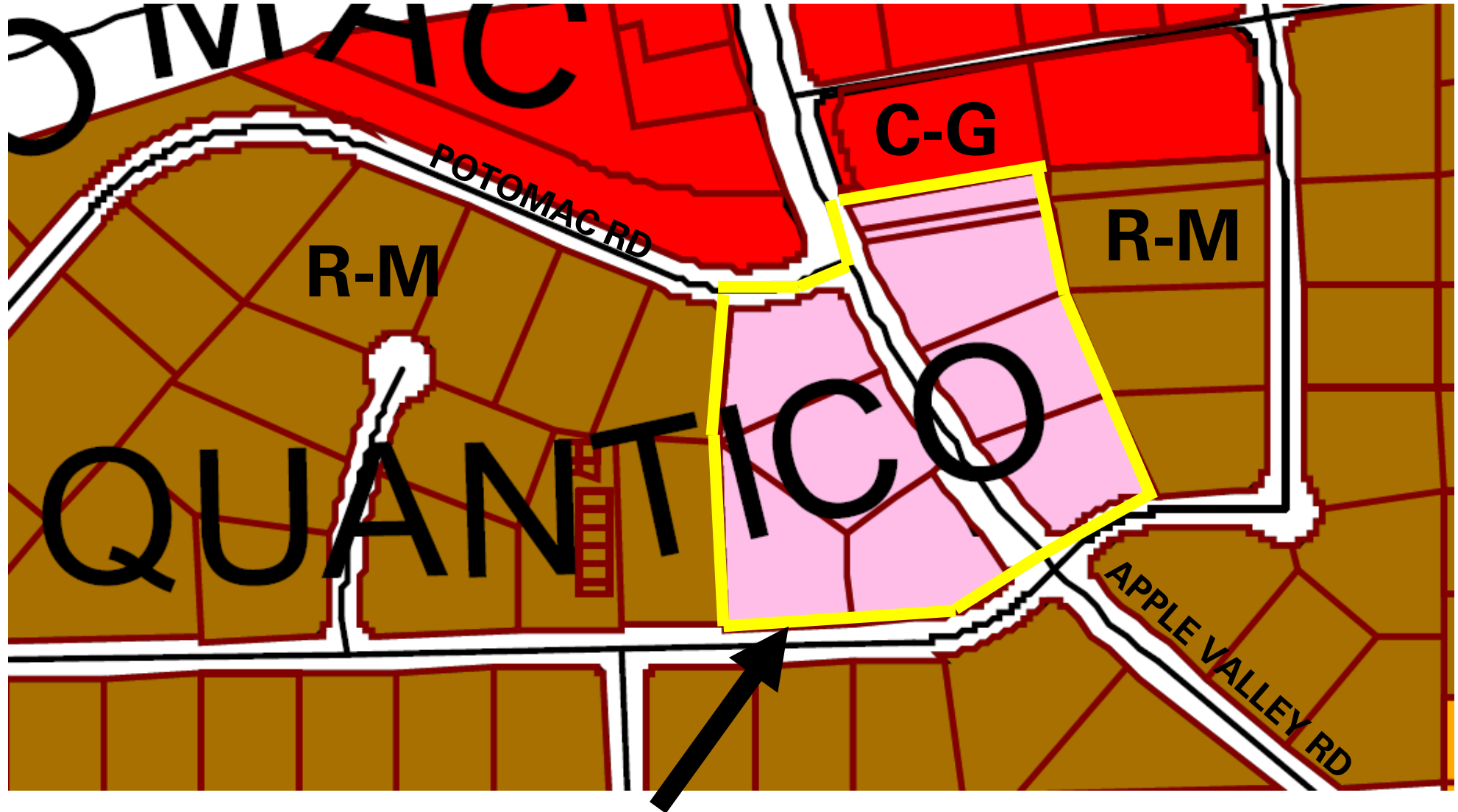
1. Find that pursuant to the California Environmental Quality Act (CEQA), the activity is not subject to CEQA pursuant to Section 15061(b)(3).
2. Recommend that the Town Council approve General Plan Amendment No. GPA 2022-002 & Zone Change No. ZC 2022-001; GPA 2022-003 & ZC 2022-

3. 002; GPA 2022-004 & ZC 2022-003; & GPA 2022-005 & ZC 2022-004

**ATTACHMENTS:**

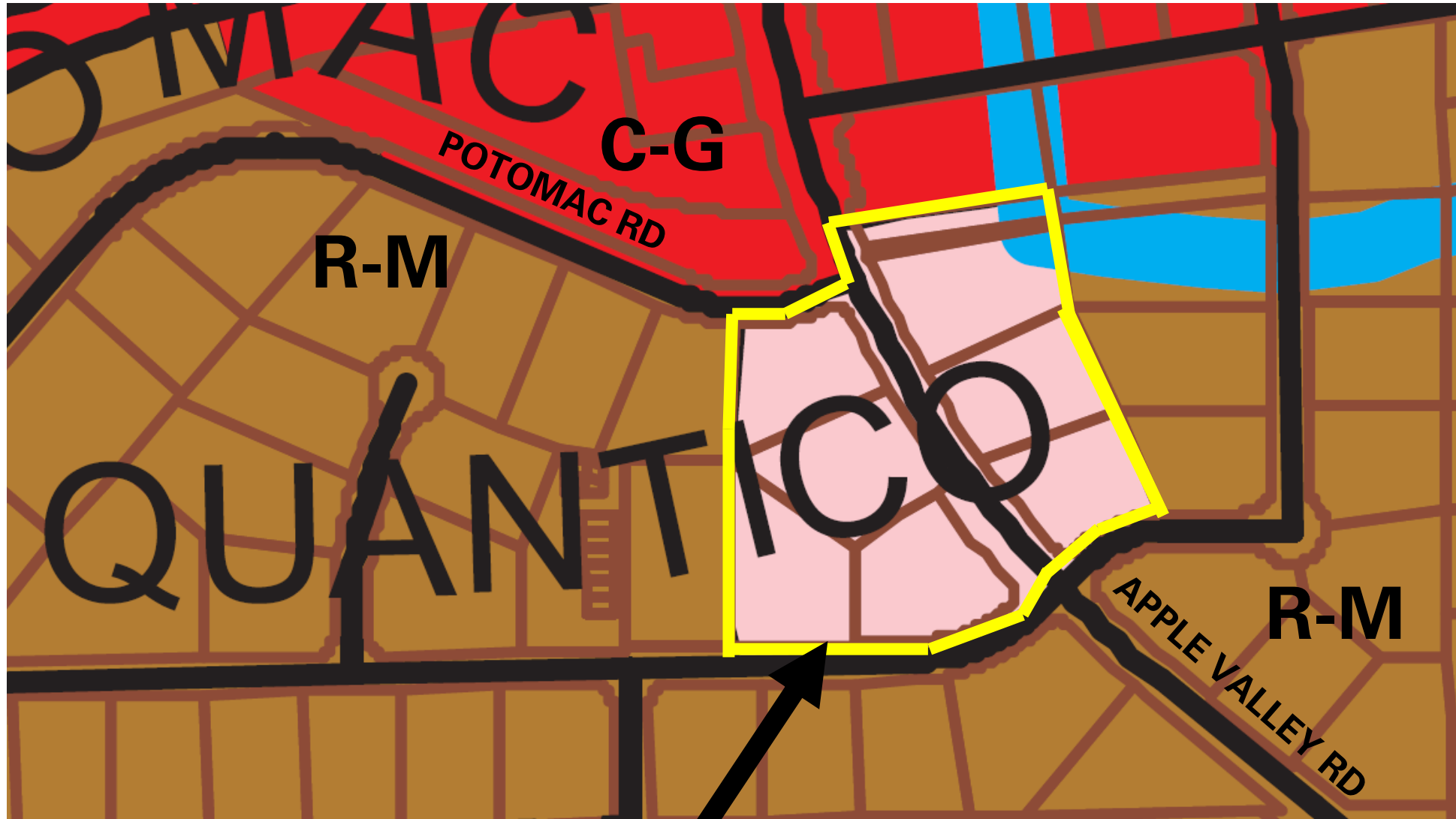
1. Map Exhibits
2. Planning Commission Resolution No. 2022-002

Exhibit A



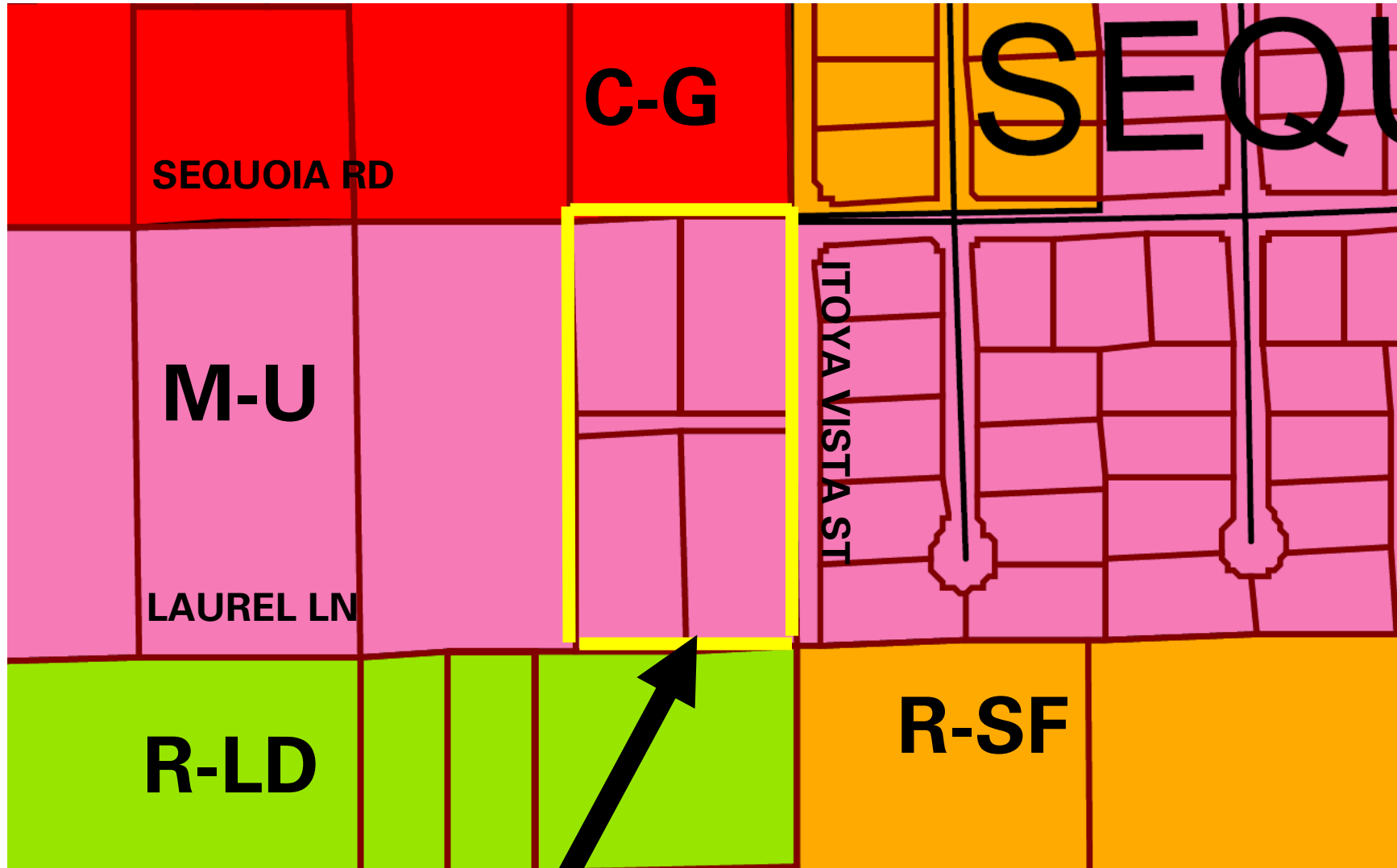
**GPA-2022-002 from O-P to R-M**

Exhibit B



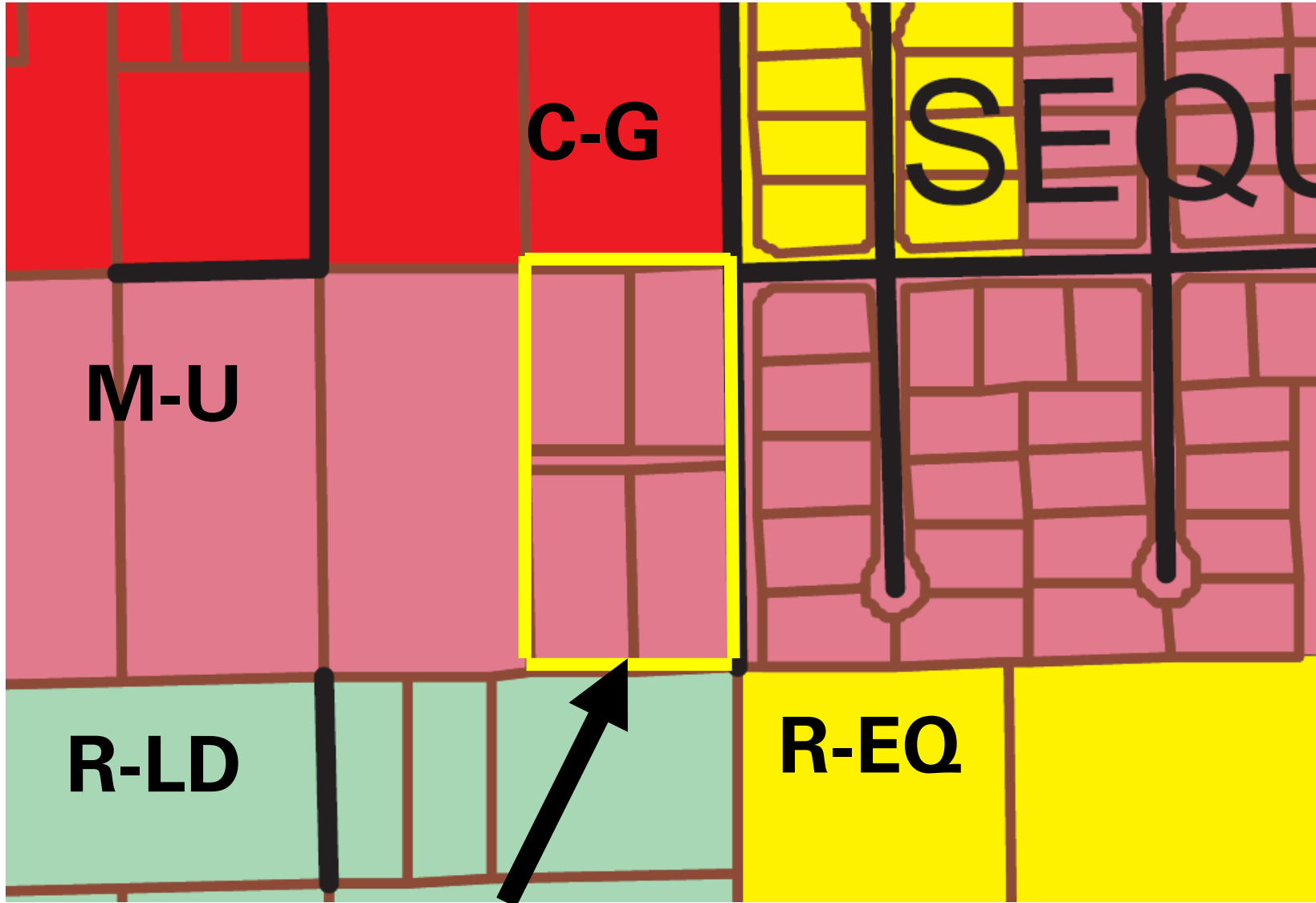
**ZC-2022-001 from O-P to R-M**

Exhibit C



**GPA-2022-003 from M-U to R-E**

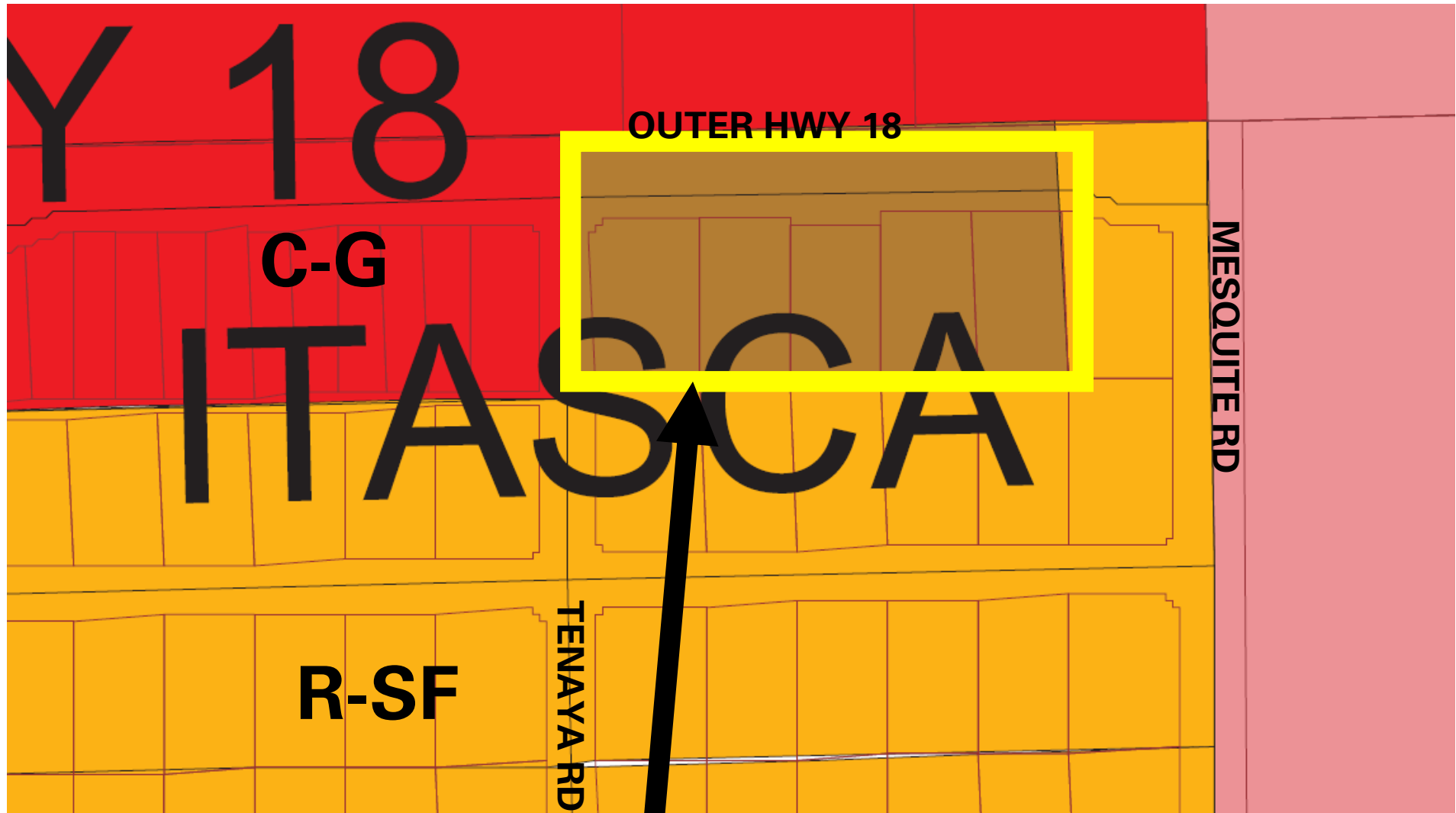
Exhibit D



**ZC-2022-002 from M-U to R-E**

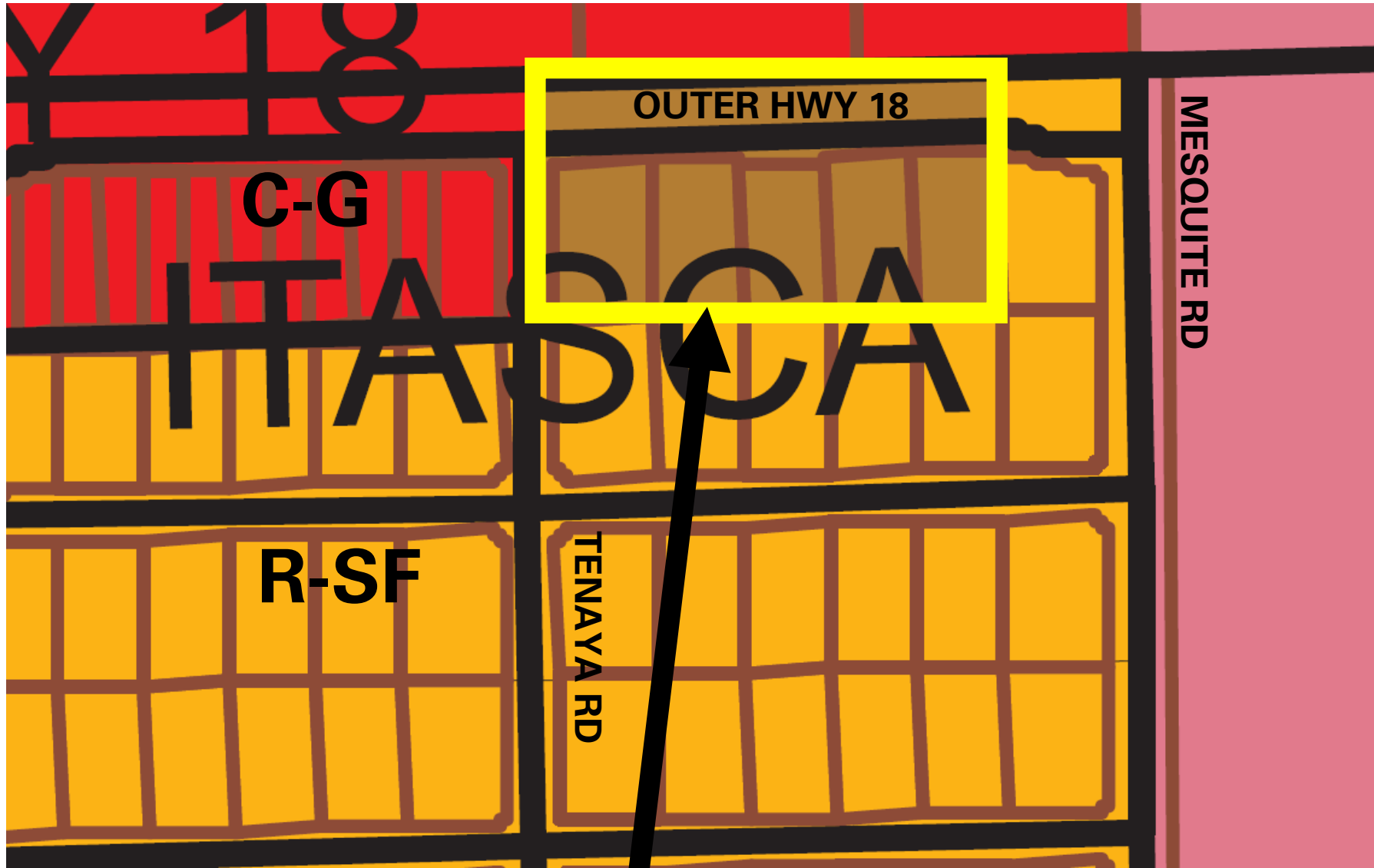


Exhibit E



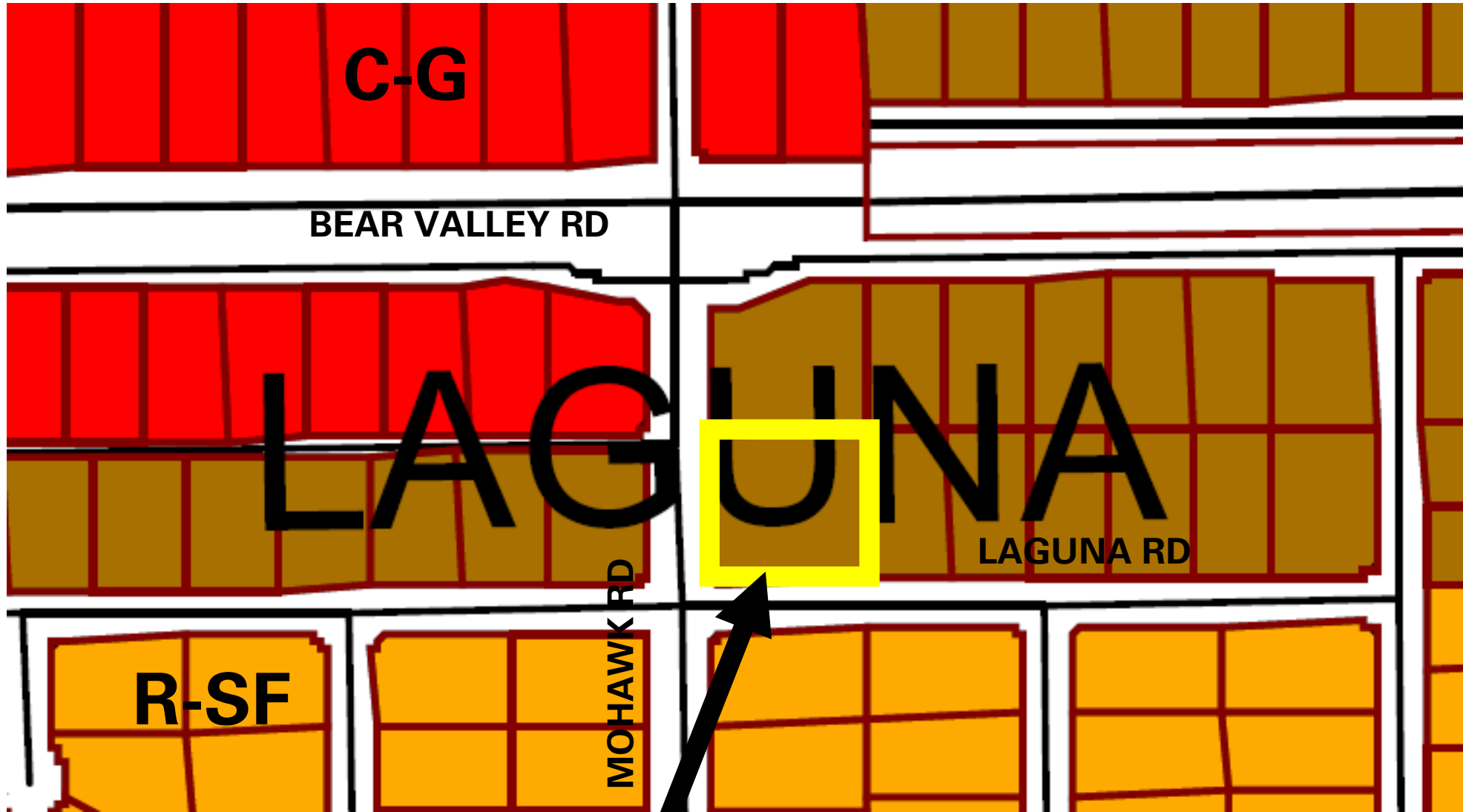
**GPA-2022-004 from R-M to R-SF**

Exhibit F



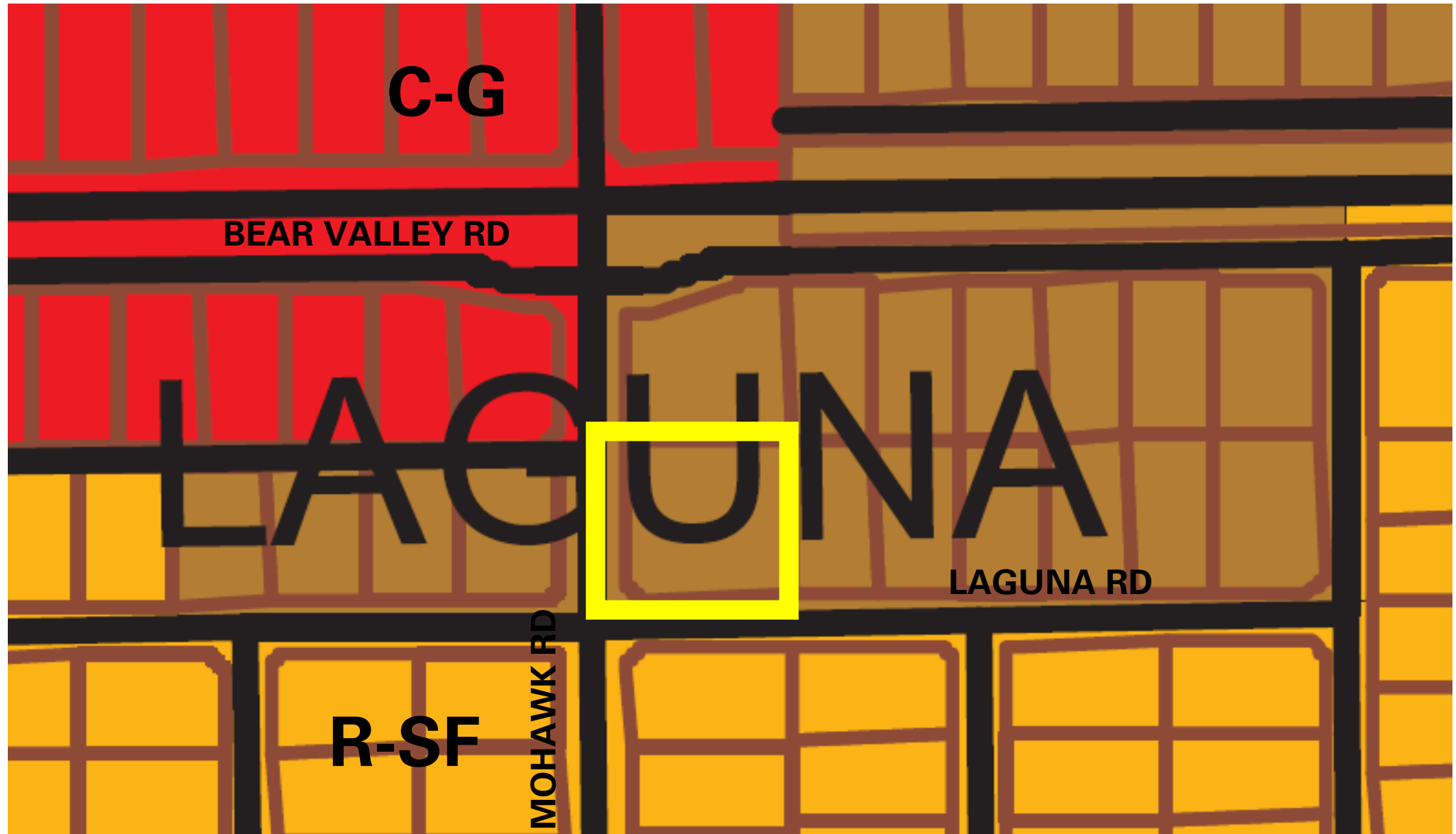
ZC-2022-003 from R-M to R-SF

Exhibit G



**GPA-2022-005 from R-M to R-SF**

Exhibit H



**ZC-2022-004 from R-M to R-SF**

## ATTACHMENT 1

### PLANNING COMMISSION RESOLUTION NO. 2022- 002

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF APPLE VALLEY, CALIFORNIA, RECOMMENDING THAT THE TOWN COUNCIL APPROVE GPA 2022-002 & ZC 2022-001 FROM OFFICE PROFESSIONAL (O-P) TO MULTI-FAMILY RESIDENTIAL (R-M) LOCATED IMMEDIATELY NORTH OF QUANTICO ROAD ALONG BOTH SIDES OF APPLE VALLEY ROAD. (APNS: 0473-152-11, 12, 15, 16 & 17 AND 0473-153-11, 12,13 & 14); GPA 2022-003 & ZC 2022-002 FROM MIXED USE (M-U) TO ESTATE RESIDENTIAL (R-E) LOCATED ON THE WEST SIDE OF ITOYA VISTA STREET BETWEEN SEQUOIA ROAD AND LAUREL LANE. (APNS: 0434-042-16, 17, 18 & 19); GPA 2022-004 & ZC 2022-003 FROM MULTI-FAMILY RESIDENTIAL (R-M) TO SINGLE FAMILY RESIDENTIAL (R-SF) LOCATED ON THE SOUTH SIDE OF OUTER HIGHWAY 18 AND EAST OF TENAYA ROAD (APNS: 0439-314-07 THRU 11); AND GPA 2022-005 & ZC 2022-004 MULTI-FAMILY RESIDENTIAL (R-M) TO SINGLE FAMILY RESIDENTIAL (R-SF) LOCATED ON THE NORTHEAST CORNER OF MOHAWK AND LAGUNA ROAD (APN: 0434-371-14)**

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

**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**, General Plan Amendment No. GPA 2022-002 & Zone Change No. ZC 2022-001; GPA 2022-003 & ZC 2022-002; GPA 2022-004 & ZC 2022-003; & GPA 2022-005 & ZC 2022-004 are consistent with the General Plan and Municipal Code of the Town of Apple Valley;

**WHEREAS**, Specific changes are proposed to the Land Use Element of the adopted General Plan and Zone Map of the Town of Apple Valley by approving GPA No. 2022-002 & ZC No. 2022-001 from Office Professional (O-P) to Multi-Family Residential (R-M) located immediately north of Quantico Road along both sides of Apple Valley Road. (APNs: 0473-152-11, 12, 15, 16 & 17 and 0473-153-11, 12,13 & 14); GPA No. 2022-003 & ZC No. 2022-002 from Mixed Use (M-U) to Estate Residential (R-E) located on the west side of Itoya Vista Street between Sequoia Road and Laurel Lane. (APNs: 0434-042-16, 17, 18 & 19); GPA No. 2022-004 & No. ZC 2022-003 from Multi-Family Residential (R-M) to Single Family Residential (R-SF) located on the south side of Outer Highway 18 and east of Tenaya Road (APNs: 0439-314-07 thru 11); and GPA No. 2022-005 & ZC No. 2022-004 Multi-Family Residential (R-M) to Single Family Residential (R-SF) located on the northeast corner of Mohawk and Laguna Road (APN: 0434-371-14); and

**WHEREAS**, On January 21, 2022, General Plan Amendment No. GPA 2022-002 & Zone Change No. ZC 2022-001; GPA 2022-003 & ZC 2022-002; GPA 2022-004 & ZC 2022-003; & GPA 2022-005 & ZC 2022-004 were duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

**WHEREAS**, Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA [Section 15061(b)(3)]; and

**WHEREAS**, On February 2, 2022, the Planning Commission of the Town of Apple Valley conducted a duly noticed and advertised public hearing General Plan Amendment No. GPA 2022-002 & Zone Change No. ZC 2022-001; GPA 2022-003 & ZC 2022-002; GPA 2022-004 & ZC 2022-003; & GPA 2022-005 & ZC 2022-004, receiving testimony from the public and adopted Planning Commission Resolution No. 2022-002 recommending adoption of this Ordinance; and

**WHEREAS**, General Plan Amendment No. GPA 2022-002 & Zone Change No. ZC 2022-001; GPA 2022-003 & ZC 2022-002; GPA 2022-004 & ZC 2022-003; & GPA 2022-005 & ZC 2022-004 are consistent with the Land Use Element goals and policies of the Town's 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.** Find that the changes proposed by General Plan Amendment No. GPA 2022-002 & Zone Change No. ZC 2022-001; GPA 2022-003 & ZC 2022-002; GPA 2022-004 & ZC 2022-003; & GPA 2022-005 & ZC 2022-004 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan.

**Section 2.** Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA [Section 15061(b)(3)]; and

**Section 3.** Amend General Plan Land Use Map of the adopted General Plan as shown on Exhibits A, C, E, & G; and

**Section 4.** Amend the Zone Map of the Town of Apple Valley as shown on Exhibits B, D, F, & H; and

Approved and Adopted by the Planning Commission of the Town of Apple Valley this 2<sup>nd</sup> day of February 2022

---

Chairman Joel Harrison

ATTEST:

I, \_\_\_\_\_, 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 2<sup>nd</sup> day of February 2022 by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Planning Commission Secretary





## Planning Commission Agenda Report

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**Date:** February 2, 2022 Item No. 6

**To:** Planning Commission

**Case Number:** General Plan Amendment No. GPA-2021-002

**Applicant:** Town of Apple Valley

**Proposal:** A comprehensive update of the Housing Element of the General Plan to implement the 6<sup>th</sup> cycle planning period from 2022 to 2029.

**Location:** Town-wide

**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.

**Prepared By:** Daniel Alcayaga, AICP, Planning Manager

**Recommendation:** Recommend Approval to the Town Council

---

### PROJECT DESCRIPTION

Government Code Section 65580 et. seq. establishes the requirements for Housing Elements, including the Town's responsibility to remove barriers to all types of housing, particularly affordable housing. The Town is required to update its Housing Element every eight years. The current (5<sup>th</sup> Cycle) planning period ended October 2021. The 6<sup>th</sup> Cycle extends from October 2021 through October 2029. The planning cycle is tied to the preparation of the Regional Housing Needs Allocation (RHNA). The RHNA was adopted by the Southern California Association of Governments (SCAG) for all its member cities and counties, and assigns an anticipated need for housing to each jurisdiction during the next eight years. The Town's RHNA is depicted in Table 1, below.

**Table 1**  
**RHNA by Income Category, 2022-2029**

<b>Income Category</b>	<b>No. of Units Needed</b>
Extremely Low Income <sup>1</sup>	543
Very Low Income (0-50% of AMI)	543
Low Income (51-80% of AMI)	600
Moderate Income (81-120% of AMI)	747
Above Moderate Income (more than 120% of AMI)	1,857
<b>Total Units Needed</b>	<b>4,290</b>

<sup>1</sup> Extremely Low Income (ELI) category is a subset of the Very Low Income category. ELI households are defined by HCD as those with incomes less than 30% of AMI. The number of units needed is assumed to be 50% of all Very Low-Income units.

Source: SCAG 2021

In addition to an updated RHNA, the Housing Element is being updated to address changes in State law, to ensure that the Town is in compliance with Government Code, as further described below.

**BACKGROUND**

State law requires that all counties, cities and towns adopt a General Plan to guide land use and development. Among the seven (7) required “elements” of the General Plan is the Housing Element. The Housing Element sets forth goals, policies, and programs that address the future housing needs for all income levels over an eight (8) year planning period which coincides with the Regional Housing Needs Assessment (RHNA) projection period. The Town last updated its Housing Element in 2013, for the 5<sup>th</sup> cycle planning period from 2013 to 2021.

The Town began its update of the Housing Element in 2020. As part of the process, two public workshops were held, and multiple emails were sent to interested parties, community members, and housing advocates, requesting comments and input on the draft Housing Element. Town staff also met with the Building Industry Association to review the element and the process.

The first draft was submitted to the State Department of Housing and Community Development (HCD) on April 6, 2021. Comments were received on June 7, 2021, and staff made changes to comply with these comments. The element was resubmitted on October 10, 2021 (Attachment 1), and a second comment letter received on December 13, 2021 (Attachment 2). Additional revisions have been made, and were submitted for informal review by HCD on January 10, 2022. Although staff believes that these changes are sufficient to bring the element into compliance, as of this writing staff has not received a response to the informal review request. Staff will report on the status of the element orally at the hearing.

## ANALYSIS

Government Code requires that the Town facilitate the development of housing for all income types, with a particular focus on affordable housing. Ultimately, and especially because of the lack of redevelopment funds previously available to the Town, affordable housing will be built by private developers, with Town participation where possible. The draft Housing Element's policies and programs, consistent with the current Housing Element, do not substantially change this approach. Policies and programs focus on cooperative actions and activities that will facilitate the development of housing for all income levels in Town, and eliminate barriers to housing. The Town's recent amendments to the Multi-Family zoning standards in the Development Code assist in this effort as well, by making higher density development more feasible and likely. Policies and programs include the development of incentives for affordable housing projects for seniors and the disabled, including reductions in parking standards, fee waivers and similar incentives; pursuing grants and loans to expand the sanitary sewer system; and promoting rehabilitation programs, both through Town efforts and in cooperation with the County.

The key to the Housing Element's implementation is the adequacy of available sites. A change in the law requires that affordable housing sites have readily available water, sewer and dry utilities. Because of the incomplete nature of the sanitary sewer system, an analysis was conducted to determine what sites have sewer available immediately adjacent (within 100 feet), and what sites have sewer available in the area (1,250 feet). On that basis, sites were selected in the Multi-Family and Mixed Use districts, as shown in Tables 43,44 and 45. This results in sufficient land within 100 feet of existing sewer to accommodate 2,748 very low, low and moderate income units, which is more than the 2,433 units assigned in the RHNA. An additional 7,258 units are possible on lands located within 1,250 feet of sanitary sewer. Therefore, the Town has more than sufficient lands available to meet its RHNA allocation.

In addition to the RHNA, changes in State law require multiple changes to the Housing Element, including the inclusion of an "Affirmatively Furthering Fair Housing" (AFFH) component to assure that the Town analyzes patterns of segregation, concentrations of poverty, access to housing, and barriers to housing, and based on that analysis, establishes policies and programs that assure that the Town is affirmatively eliminating barriers and providing housing opportunities for all members of the community. This analysis has been completed, and policies and programs included in the element to assure that housing is available throughout the community for all residents, and that the Town continue to encourage and facilitate housing choice and discourage discrimination.

## Environmental Assessment

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study and Negative Declaration have been prepared for the General Plan Amendment. The Housing Element update is a policy document which will result in no change to the physical environment. Individual projects will be reviewed under CEQA as they are proposed, and their site-specific impacts considered and mitigated as necessary.

Native American Tribes were notified consistent with AB-52 and SB-18. Comment letters were received from the Quechan and San Manuel bands. Both indicated their appreciation for the Town's contact, but declined to initiate consultation, since the element is a policy document.

### RECOMMENDATION

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

1. Find that pursuant to the California Environmental Quality Act (CEQA), recommend adoption of the Initial Study and Negative Declaration.
2. Recommend that the Town Council approve General Plan Amendment No. GPA-2021-002.

### ATTACHMENTS:

1. Second Draft, Housing Element – Website link [31874 \(applevalley.org\)](https://applevalley.org/31874)
2. HCD letter of December 13, 2021
3. Proposed additional changes to the element, dated 1/11/22 – Website link [AV HE and AFFH Proposed Amendments 1.11.22 \(applevalley.org\)](https://applevalley.org/AV-HE-and-AFFH-Proposed-Amendments-1.11.22)
4. Initial Study

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7453  
[www.hcd.ca.gov](http://www.hcd.ca.gov)



December 13, 2021

Daniel Alcayaga, Planning Manager  
Community Development Department  
Town of Apple Valley  
14955 Dale Evans Parkway  
Apple Valley, CA 92307

Dear Daniel Alcayaga:

**RE: Town of Apple Valley's 6<sup>th</sup> Cycle (2021-2029) Revised Draft Housing Element**

Thank you for submitting the Town of Apple Valley's (Town) revised draft housing element received for review on October 15, 2021. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. In addition, HCD considered comments from Sean Gorden, YIMBY Law, pursuant to Government Code section 65585, subdivision (c).

The revised draft element addresses some statutory requirements described in HCD's June 7, 2021 review; however, the following revisions will be necessary to comply with State Housing Element Law (Article 10.6 of the Gov. Code).

1. *Affirmatively further(ing) fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2. The program shall include an assessment of fair housing... (Gov. Code, § 65583, subd. (c)(10)(A).)*

*Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics... (Gov. Code, § 65583, subd. (c)(5).)*

Racial/Ethnic Areas of Concentration of Poverty (R/ECAP) and Areas of Affluence (RCAA): The element states that a R/ECAP does not exist; however, as noted in the element, the Town does have an area of High Segregation and Poverty according to TCAC/HCD Opportunity maps. As a result, the element should include a specific analysis of this area; addressing conditions and circumstances, trends, coincidence with other components of the assessment of fair housing (AFH) and the effectiveness of past and current strategies to promote inclusive communities

and equitable. This analysis should be complemented by local data and knowledge and other relevant factors as described below.

Site Inventory: The element generally states sites are identified throughout the community but generally does not include analysis to address this requirement. The analysis must identify whether sites improve or exacerbate conditions and whether sites are isolated by income group. A full analysis should address the income categories of identified sites with respect to location, the number of sites and units by all income groups and how that affects the existing patterns for all components of the assessment of fair housing (e.g., segregation and integration, access to opportunity). The element should also discuss whether the distribution of sites improves or exacerbates conditions. If sites exacerbate conditions, the element should identify further program actions that will be taken to promote equitable quality of life throughout the community (e.g., anti-displacement and place-based community revitalization strategies).

Other Relevant Factors: The element must include other relevant factors that contribute to fair housing issues in the jurisdiction. For instance, the element should analyze historical land use, zoning, governmental and nongovernmental spending, including transportation investments, demographic trends, historical patterns of segregation, or other information that may have impeded housing choices and mobility.

Contributing Factors: The element should re-assess and prioritize contributing factors upon completion of analysis and make revisions as appropriate.

Goals, Actions, Metrics, and Milestones: The element must be revised to add or modify goals and actions based on the outcomes of a complete analysis. Goals and actions must specifically respond to the analysis and to the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have specific commitment, metrics, and milestones as appropriate; and must address housing mobility enhancement; new housing choices and affordability in high opportunity areas; place-based strategies for community preservation, revitalization and displacement protection.

2. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

*Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities*

*to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory... .. without rezoning... Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels... (Gov. Code, § 65583, subd. (c)(1).)*

Parcel Listing: As noted in the prior review, parcels must be listed by affordability levels. In response, the element now labels all multifamily and mixed-uses zoned sites with lower and moderate-income affordability. However, sites identified for lower and moderate income should be separated in some manner based on the anticipated affordability of identified sites.

Electronic Sites Inventory: As a reminder, the Town must submit an electronic sites inventory with its adopted housing element. As part of the electronic inventory, the Town must identify sites by anticipated income category. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/community-development/housing-element/index.shtml#element> for a copy of the form and instructions. The Town can reach out to HCD at [sitesinventory@hcd.ca.gov](mailto:sitesinventory@hcd.ca.gov) for technical assistance.

Programs: As noted above, the element does not include a complete site analysis; therefore, the adequacy of sites and zoning was not established. Based on the results of a complete sites inventory and analysis, the Town may need to add or revise programs.

- 3. An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels... ..including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. (Gov. Code, § 65583, subd. (a)(5).)*

*Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities... (Gov. Code, § 65583, subd. (c)(3).)*

Land Use Controls: The element now identifies multifamily parking requirements of 2 to 2.5 spaces per unit, including garage requirements, depending on the size of the development. The element should specifically evaluate these requirements for impacts on housing cost and supply, particularly for smaller bedroom types and add programs to address constraint.

Processing and Permit Procedures: While the element now includes a program to remove the conditional use permit for larger multifamily developments, it must

still evaluate findings for the Development Plan review and include programs as appropriate. Please see the prior review for additional information

Housing for Persons with Disabilities: While the element now provides that the Development Code be amended to allow group homes of seven or more as a permitted use, it must still identify and analyze any definition of family and include a program as appropriate.

4. *The housing element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. (Gov. Code, § 65583, subd. (c)(2).*

The element must include programs for elderly and persons with disabilities. However, the element should consider all special needs groups and programs should be revised with proactive outreach including more specific timelines (e.g., annual) instead of “as proposed”.

5. *Establish the number of housing units, by income level, that can be constructed, rehabilitated, and conserved over a five-year time frame. (Gov. Code, § 65583, subd. (b) (1 & 2).)*

The element must include quantified objectives to establish an estimate of housing units by income category, including extremely low-income households, that can be constructed, rehabilitated, and conserved over the planning period.

6. *Include a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort. (Gov. Code, § 65583, subd. (c)(9).)*

As noted in the prior review, HCD encouraged the Town to consider comments from High Desert Intersections Collaborative. In response, the revised draft notes some programs were modified and most recommendations were already in place. However, neither modifications nor recommendations already in place are apparent in the revised housing element. HCD again encourages the Town to consider these comments and make revisions where appropriate.

In addition, as a reminder, the availability of the document to the public and opportunity for public comment prior to submittal to HCD is essential to the public process and HCD’s review. The Town must proactively make future revisions available to the public, including any commenters, prior to submitting any revisions to HCD and diligently consider and address comments, including revising the document where appropriate. HCD’s future review will consider the extent to which the revised element documents were circulated and how the Town solicited, considered, and addressed public comments in the element. The Town’s consideration of public comments must not be limited by HCD’s findings in this review letter.



The element will meet the statutory requirements of State Housing Element Law once it has been revised and adopted to comply with the above requirements.

As a reminder, the Town's 6th cycle housing element was due October 15, 2021. As of today, the Town has not completed the housing element process for the 6th cycle. The Town's 5th cycle housing element no longer satisfies statutory requirements. HCD encourages the Town to revise the element as described above, adopt, and submit to HCD to regain housing element compliance.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government fails to adopt a compliant housing element within 120 days of this statutory deadline, then any rezoning to accommodate the regional housing needs allocation (RHNA), including for lower-income households, shall be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i).

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the Town will meet housing element requirements for these and other funding sources.

HCD is committed to assisting the Town in addressing all statutory requirements of State Housing Element Law and appreciates your efforts in the preparation of your revised draft element. If you have any questions, please contact Gerlinde Bernd at [Gerlinde.Bernd@hcd.ca.gov](mailto:Gerlinde.Bernd@hcd.ca.gov).

Sincerely,



Paul McDougall  
Senior Program Manager



Town of  
Apple Valley

## TOWN OF APPLE VALLEY

14955 Dale Evans Parkway  
Apple Valley, California 92307  
Phone: (760)240-7000  
Fax: (760)247-3885

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### ENVIRONMENTAL INITIAL STUDY

**Project Title:** Town of Apple Valley Housing Element Update

**Town Project No.:** General Plan Amendment Case No. GPA 2021-002

**Lead Agency  
Name and Address:** Town of Apple Valley  
14955 Dale Evans Parkway  
Apple Valley, California 92307  
Phone: (760) 240-7000, Fax: (760) 247-3885

**Project Sponsor's Name  
and Address:** Town of Apple Valley  
14955 Dale Evans Parkway  
Apple Valley, California 92307

**Contact Person  
And Phone Number:** Daniel Alcayaga, Planning Manager, [dalcayaga@applevalley.org](mailto:dalcayaga@applevalley.org)  
Phone: (760) 240-7000 Ext. 7200

**Project Location:** Town-wide

**Project Area:** Current Town boundary

**Existing  
Zoning Designation:** All

**Existing  
General Plan Designation:** All

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## PROJECT DESCRIPTION

The Housing Element is one of the mandated Elements of the Town’s General Plan. It analyzes the demographics of the Town population and existing housing stock, and considers the future needs for housing in the Town. The Housing Element focuses on affordable housing and housing for special needs households, including seniors, disabled persons, large families, single parent households and the homeless. It also provides the Town’s decision makers with Goals, Policies and Programs intended to facilitate the development and preservation of adequate housing supply to meet these needs. The State of California has established a mandatory update schedule for Housing Elements, which the Town is complying with. This Update addresses the planning period from 2022 to 2029. During this timeframe, the City has been allocated the following housing units under the Regional Housing Needs Allocation (RHNA) developed by the Southern California Association of Governments (SCAG):

**Table 1**  
**Regional Housing Needs Allocation, 2022 to 2029**

<b>Income Category</b>	<b>Number Of Units</b>
Extremely low income	543
Very low income	543
Low income	600
Moderate income	747
Above moderate income	1,857
<b>Total</b>	<b>4,290</b>

Note that the extremely low and very low income categories are 50% each of the 1,086 units assigned for the very low category.  
Source: SCAG

This Update consists primarily of statistical updates, particularly relating to updating the Census and American Community Survey (ACS) information in the Element to 2010 Census and 2018 ACS information, and reassessing housing needs based on these demographic changes. This Update selected vacant sites identified for housing in the 2014-2021 Housing Element that are located within 100 feet of water and sewer lines.

The Housing Element Update does not propose significant changes in policies and programs, most of which address changes in the requirements of law since the Town last updated its Housing Element in 2013. These changes in law address various housing-related issues. AB 686 was passed by California Legislature in 2018 requiring that all housing elements due on or after January 1, 2021 must contain an Assessment of Fair Housing (AFH) consistent with the core elements of the analysis required by the federal Affirmatively Furthering Fair Housing (AFFH) Final Rule (2015). This Update includes an AFH that analyzes patterns of segregation and equal access to opportunity within the Town, consistent with AFFH Final Rule.

Also as required by recent changes in State law the Element includes a program to require that the Town will amend the Development Code to be consistent with density bonus provisions of AB 2345, which provides for up to 50% density bonus depending on the affordable units mix.

### Current Conditions

The current Housing Element (2013) of the Town’s 2009 General Plan applies to the 2014-2021 planning period. The current Element facilitates housing development and preservation throughout the Town consistent with residential land use designations in the Land Use Element and Development Code, to meet the RHNA assigned to the Town at the time.



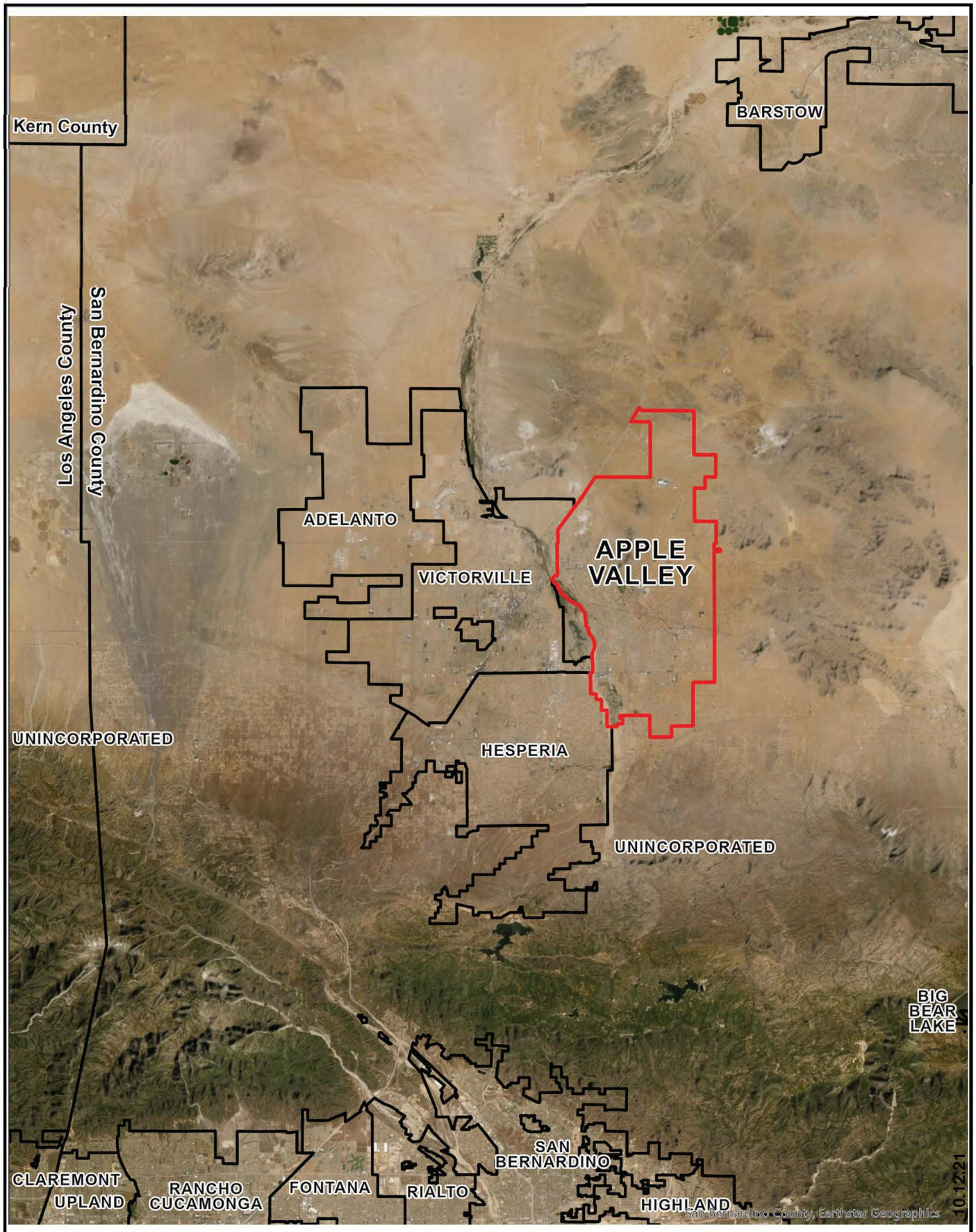
### **Project Location and Limits**

The Town of Apple Valley is in Township 4, 5 & 6 North, Range 3 & 4 West of the San Bernardino Base and Meridian (see USGS Apple Valley North and Apple Valley South 7.5-minute quadrangle maps).

### **Surrounding Land Uses**

Not applicable. The Housing Element applies to all lands throughout the Town.





**EVALUATION OF ENVIRONMENTAL IMPACTS:**

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**


The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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



**DETERMINATION:** (To be completed by the Lead Agency)  
On the basis of this initial evaluation:

<input checked="" type="checkbox"/>	I find that the proposed project <b>COULD NOT</b> have a significant effect on the environment, and a <b>NEGATIVE DECLARATION</b> will be prepared.
<input type="checkbox"/>	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 <b>MITIGATED NEGATIVE DECLARATION</b> will be prepared.
<input type="checkbox"/>	I find that the proposed project <b>MAY</b> have a significant effect on the environment, and an <b>ENVIRONMENTAL IMPACT REPORT</b> is required.
<input type="checkbox"/>	I find that the proposed project <b>MAY</b> 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 <b>ENVIRONMENTAL IMPACT REPORT</b> is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	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 <b>NEGATIVE DECLARATION</b> pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or <b>NEGATIVE DECLARATION</b> , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

 <hr/> Signature: Daniel Alcayaga, Planning Manager Town of Apple Valley	12.22.21 <hr/> Date:
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1. AESTHETICS – Except as provided in Public Resource Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<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"/>

**Sources:** Apple Valley General Plan 2009; Apple Valley Development Code, as amended; California State Scenic Highway System Map and List, Caltrans.

### Background

The Town of Apple Valley occurs on a gently sloping desert floor with mountains, peaks, hillsides, and knolls primarily to the north, south, and east. Prominent scenic vistas include the Ord Mountains to the south, the summit of Bell Mountain (3,852 feet above sea level) to the north, and the summit of Fairview Mountain (4,288 feet above sea level) to the northeast. Mountainous areas are comprised of various rock formations and diverse vegetation that represent regional scenery. In some areas, the Mojave River is surrounded by mountains, hillsides, and riparian areas that have higher scenic values.

State Highway 18 in the Town and surrounding areas is not designated as a state scenic highway or classified as eligible. The Town’s Municipal Code includes separate provisions for the protection of trees, rock outcroppings, and historic buildings.

a-d) **No Impact.** The Housing Element Update is a policy document and will have no impact on aesthetics, scenic vistas or light and glare. In the future, development of individual housing projects will be reviewed on a case-by-case basis for potential impacts on scenic vistas and scenic resources. The Town’s building height limits in the Development Code and policies of the General Plan and Specific Plans prevent the construction of large buildings that block scenic vistas. Future projects will be required to adhere to applicable zoning and other regulations on scenic quality, and this Update proposes no change to these regulations. The Development Code requires protection of views and viewsheds for development in hillside areas (Municipal Code Section 9.71.060), and the General Plan Land Use Element also includes policies to ensure compatible development near designated open space lands. The Development Code also imposes requirements on light and glare such that it is directed away or shielded to prevent impacts on adjoining properties (Municipal Code Section 9.70.020). Overall, no impact is expected.

**Mitigation:** None required.

**Monitoring:** None required.

<b>2. AGRICULTURE AND FORESTRY RESOURCES</b> -- 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. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	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, forestland (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 to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Sources:** Apple Valley General Plan 2009; Apple Valley Development Code, as amended; California Department of Conservation, Farmland Mapping & Monitoring Program, 2016.

**Background**

The Town of Apple Valley contains no forest lands. Land historically used for agricultural purposes has trended toward animal keeping and equestrian activities. The Residential Agriculture (R-A, 1 du/2.5 gross acres) zoning designation allows the continued operation of agricultural uses in areas previously zoned for agriculture by the County in the Deep Creek area.

a-e) **No Impact.** The Housing Element will not result in the construction of additional housing, as it is a policy document only. There are no forestry resources in Town limits, nor are there any forestry land use designations in the Town’s General Plan. The sites identified for future housing in the Vacant Land Inventory are zoned as Very Low Density Residential, Multi-Family Residential or Mixed Use, which do not allow agricultural uses. The identified housing sites are not adjacent to any lands zoned as Residential Agriculture, which are located on the southern Town boundary. The majority of the identified housing sites are classified as Urban and Built-Up Land or Other Land, though some are classified as Grazing Land by the Farmland Mapping and Monitoring Program of the California Department of Conservation. These sites are currently vacant and have been designated for urban uses since adoption of the Town’s 2009 General Plan. None of these sites are near any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance designated by the California Department of Conservation. The sites identified for future housing are not covered by a Williamson Act contract. Overall, this Housing Element Update will not result in any direct or indirect impact on any active or designated agricultural or forest land, nor would it result in the conversion of such land to non-agricultural or non-forest uses. Adoption of the Housing Element update will have no impact to agricultural and forestry resources.



**Mitigation:** None required.

**Monitoring:** None required.

3. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management district 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 Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Sources:** MDAQMD Rule Book; MDAQMD CEQA and Federal Conformity Guidelines; Apple Valley General Plan 2009.

### Background

The Town of Apple Valley is in the Mojave Desert Air Basin under the jurisdiction of Mojave Desert Air Quality Management District (MDAQMD). MDAQMD is geographically the second largest of the 35 air districts in the State of California. All development within the Town is subject to MDAQMD’s 2016 “California Environmental Quality Act (CEQA) and Federal Conformity Guidelines.” MDAQMD operates and maintains six regional air quality monitoring stations throughout its jurisdiction. The nearest monitoring stations to the Town of Apple Valley are in Victorville and Hesperia.

Criteria air pollutants are contaminants for which state and federal air quality standards (California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS)) have been established. MDAQMD exceeds state and federal standards for ozone (O<sub>3</sub>) and PM<sub>10</sub>. As a result, MDAQMD has adopted federal attainment plans for ozone and PM<sub>10</sub> under the federal Clean Air Act. Ambient air quality in the MDAQMD, including the Town of Apple Valley, does not exceed state and federal standards for carbon monoxide, nitrogen dioxides, sulfur dioxide, lead, sulfates, hydrogen sulfide, or visibility reducing particles.

- a) **No Impact.** The Housing Element Update is a policy document and will not generate any construction or development; therefore, it will have no direct impact on air quality.

According to MDAQMD’s 2016 CEQA and Federal Conformity Guidelines, a project is considered non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project is conforming if it complies with all applicable District rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s), or is directly included in the applicable plan. Conformity with growth forecasts can be established by demonstrating that the project is consistent with the land use plan that was used to generate the growth forecast.

MDAQMD works directly with the San Bernardino County Association of Governments (SANBAG), San Bernardino County Transportation Authority (SBCTA), and local governments, and cooperates actively with all state and federal government agencies. SBCTA adopted the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020 RTP/SCS) developed by the Southern California Association

of Governments (SCAG). The Demographics & Growth Forecast Technical Report of the RTP/SCS forms the basis of land use and transportation controls of air quality management plans. An example of a non-conforming project would be one that increases the gross number of dwelling units, increases the number of trips, and/or increases the overall vehicle miles traveled in an affected area relative to the applicable land use plan.

The Vacant Land Inventory in this Housing Element Update includes sites zoned as Very Low Density Residential, Multi-Family Residential or Mixed Use in the central and southern portions of the Town. All the sites in the inventory will be developed according to their General Plan and zoning designations. Therefore, the proposed Update is considered consistent with the growth forecast in the 2020 RTP/SCS and is not expected to conflict with any air quality plan.

- b-d) **No Impact.** As future housing development is proposed, the Town will undertake CEQA review on an individual project level and assess potential impacts on air quality for each project, including emissions of criteria pollutants, pollutant concentrations near sensitive receptors, and emissions of odors. Mitigation measures will be implemented as necessary in compliance with MDAQMD rules and Town requirements. All future projects will be required to comply with MDAQMD rules and guidelines. Typical measures include, but are not limited to, implementation of a dust control and management plan in conformance with MDAQMD Rule 403.2, phased application of architectural coatings and the use of low-polluting architectural paint and coatings per MDAQMD Rule 1113. In addition, the 2019 and later editions of the California Building Code will reduce air quality impacts during project operation by imposing more stringent energy efficiency standards, which will reduce regional emissions associated with energy production.

According to the MDAQMD CEQA and Federal Conformity Guidelines, residences, schools, daycare centers, playgrounds and medical facilities are considered sensitive receptor land uses. The Housing Element Update will ultimately allow the development of additional housing which will add to the sensitive receptors in the Town. However, should a use be proposed adjacent to these sensitive receptors which could emit high levels of pollutants, such as an industrial development or a gasoline service station, the CEQA analysis for these uses will require that their impacts to adjacent sensitive receptors, if any, be considered and mitigated.

In general, residential development does not create substantial odor. The sites identified for future housing are located within 100 feet of existing sewer trunk lines, which will facilitate future sewer connections and replacement of septic tanks, where applicable. If housing projects are proposed in areas without convenient access to the sewer system, they will likely require on-site wastewater treatment plants. The Town's Municipal Code Section 10.01.060 requires that onsite wastewater treatment systems (OWTS) be installed in conformance with the State Water Resources Control Board, OWTS Policy and the Town of Apple Valley Local Area Management Program. Implementation of standard requirements will prevent significant impacts associated with odors. The proposed Update will not result in odor impacts.

**Mitigation:** None required.

**Monitoring:** None required.

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

**Sources:** Apple Valley General Plan 2009; Notice of Preparation of Environmental Impact Report (EIR) for the Apple Valley MSHCP/NCCP, Town of Apple Valley, April 2021.

### Background

Apple Valley is in the southwestern portion of the Mojave Desert and supports a range of natural vegetation communities and biological species, including endangered, threatened, and special status species. The Mojave River on the west side of Town is a federally regulated waterway that contains several associated tributary dry washes including the Bell Mountain/Knolls wash. Other watercourses in the Town flow into the Apple Valley Dry Lake, most of which are considered ephemeral as they rarely contain overland water flow and generally have poorly defined banks.

a-f) **No Impact.** The adoption of the Housing Element Update will have no impact on biological resources. This Update does not expand new housing sites beyond what is currently allowed under the General Plan.

The Apple Valley Multispecies Habitat Conservation Plan/Natural Community Conservation Plan (MSHCP/NCCP) has been drafted, and a Notice of Preparation of an Environmental Impact Report (EIR) was issued in April 2021. Upon approval, the MSHCP/NCCP will guide the Town's conservation efforts and streamline the environmental permitting process. The entire Town is within the boundaries of the MSHCP/NCCP.

The Town is also within the boundaries of the West Mojave Plan. The habitat conservation plan conserves and protects approximately one hundred (100) sensitive species and the natural communities of which they are a part and streamlines the environmental permitting process. Currently, the West Mojave Plan applies only to federal land.

The sites identified for future housing in the Vacant Land Inventory are classified as Urban/Rural in the Town's General Plan (Exhibit III-5 Natural Communities by Vegetation Type) and surrounded by the same type. Given the surrounding urban environment and disturbance on- and off-site, the future housing sites are unlikely to host sensitive species or communities. Vegetation onsite, however, may provide limited habitat for bird species protected under the Migratory Bird Treaty Act (MBTA). The Town will require, when appropriate, the preparation of biological resource studies for individual housing projects as they are proposed in the future and implementation of necessary mitigation measures consistent with the MSHCP/NCCP upon its adoption.

The sites identified for future housing are not known to contain any wetlands or riparian habitat. The sites are not located in or near important linkage areas such as the Mojave River corridor, washes between Turtle and Black Mountains, Fairview Mountain, the Granite Mountains, and the Juniper Flat foothills located within the San Bernardino Mountains. Project-level biological resource studies will also review potential impacts regarding jurisdictional waters, wildlife corridors and nursery sites and recommend necessary mitigation measures. Future projects will also be subject to provisions in the Municipal Code Chapter 9.76 regarding protection of native trees. With implementation existing standard requirements, no new impact would occur as a result of this Update on biological resources.

**Mitigation:** None required.

**Monitoring:** None required.



5. CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Apple Valley General Plan 2009.

### Background

The Mojave Desert has a prehistory dating back to 8,000 B.C. or earlier. The Town of Apple Valley is located near the boundary between the traditional territories of the Serrano and Vanyume peoples. Archaeological sites in the region are typically related to subsistence activities and contain fragments of metates, scrapers, and projectile points. The first permanent settlement in Apple Valley was a cattle ranch established in 1870. Sustained growth began in the post-World War II era with marketing campaigns that sold thousands of residential and commercial properties. The historic Village area along Highway 18 was one of the principal commercial districts in Town.

a-c) **No Impact.** The Housing Element Update is a policy document and will have no impact on cultural resources. Sites identified for future housing in the Vacant Land Inventory do not contain any historic structures. Archaeological resources appear to be more concentrated along the Mojave River, which had provided subsistence resources for Native American tribes. None of the identified housing sites are located in or near Areas of Elevated Sensitivity for prehistoric sites as identified in the General Plan (Exhibit III-7).

As individual housing projects are proposed in the future, the Town will consult with interested tribes on potential cultural resources pursuant to AB 52 and/or SB 18 and require the preparation of a cultural resource study if the proposed project has the potential to negatively impact sensitive cultural resources. The consultation process is detailed in Section 18, Tribal Cultural Resources. Should housing development be proposed on sites with historic and/or archaeological resources in the future, any potential impact will be addressed in the project-specific cultural resource study and environmental review in compliance with standard requirements and General Plan policies.

There are no known burial sites or cemeteries on sites designated for housing in the Vacant Land Inventory. The Town will continue to require future projects to abide by California law, should human remains be identified on a site being prepared for housing development. California Public Resources Code Section 5097.98 requires that if remains are uncovered, all work in the vicinity of the site should be stopped and that there will be no disposition of the remains unless proper procedures are followed as required by the law.

Overall, no impact is expected.

**Mitigation:** None required.

**Monitoring:** None required.



6. ENERGY -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source:** Apple Valley General Plan 2009; Apple Valley Climate Action Plan, 2019 Update.

### Background

Primary energy sources include fossil fuels (oil, coal and natural gas), nuclear, and renewable sources such as wind, solar, geothermal, and hydropower. The Town is within the service boundaries of Southern California Edison (SCE) for electricity and the Southwest Gas Corporation (SWG) for natural gas.

The Apple Valley Choice Energy (AVCE) program, implemented in 2017, allows Town residents to receive energy with a higher renewable content than is currently provided by the franchised utility (SCE). The minimum renewable energy content for AVCE customers is 35%, and an alternate selection of 50% renewable energy content is available. The Town also promotes Net Energy Metering (NEM) for customers with rooftop solar by offering a premium buy-back rate that is nearly double the SCE rate.

The Town recently updated its Climate Action Plan, which provided myriad emission reduction measures in transportation, energy efficiency and renewable energy for both municipal and community-wide activities.

a-b) **No Impact.** The adoption of the Housing Element Update will have no impact on energy resources and energy efficiency. Construction and renovation of housing is required to conform to the California Building Code, including the California Energy Code and California Green Building Standards Code (CALGreen), which serves to ensure the economical and wise use of energy resources during construction and operational phases. The Town’s energy providers, SCE and SWG, have both committed to increasing efficiency and renewable energy generation and enforce relevant state energy standards. The Housing Element identifies energy conservation opportunities for Town residents and future housing development, including the Residential Rehabilitation Loan Program that provides no interest deferred loans to improvements including energy conservation upgrades. The AVCE program provides more clean energy to existing and future residents and offers alternatives with higher renewable energy content.

Future housing developments would generate traffic and require the consumption of petroleum-based fuels related to vehicular travel. Although future housing projects have the potential to result in a direct increase in Town-wide VMTs, the Update will not interfere with evolving fuel efficiency standards and will not result in wasteful, inefficient, or unnecessary consumption of transportation energy resources. Implementation of the California Building Code and voluntary energy efficiency and renewable energy programs will ensure that no wasteful, inefficient, or unnecessary consumption of energy resources will occur. The Update promotes energy efficiency and renewable energy programs for future housing development and renovation, and will not conflict with or obstruct a state or local plan for energy efficiency or renewable energy.

**Mitigation:** None required.

**Monitoring:** None required.

7. <b>GEOLOGY AND SOILS</b> -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect 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"/>
f) 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"/>

**Sources:** Apple Valley General Plan 2009; Apple Valley Local Hazard Mitigation Plan, 2017 Plan Update.

### Background

The geologic composition of Apple Valley is gently sloping alluvial fans bounded by mountains on the north, east, and south. The wide floodplain of the Mojave River generally defines the western boundary. These features have been shaped by large active fault systems, including the North Frontal, Helendale, and San Andreas faults and fault zones. Portions of the Town are susceptible to seismically induced hazards, including liquefaction and slope instability, and other geologic hazards such as wind erosion.

- a-f) **No Impact.** The Housing Element Update is a policy document and will have no impact on geology and soils. No Alquist-Priolo Earthquake Fault Zones are mapped in the Town of Apple Valley. However, Apple Valley is in a seismically active region. The nearest faults are the Helendale (South Lockhart) and North Frontal (West) faults, which are capable of generating magnitude 7.3 and 7.2 earthquakes, respectively. Numerous other faults in the region, including the San Andreas (Whole Southern) and Lenwood-Lockhart-

Old Woman Springs faults, also have the potential to produce strong ground shaking in Apple Valley. To mitigate for potential impacts from strong groundshaking, the Town enforces stringent building requirements including the most recent California Building Code regarding seismic safety specifications.

Ground failure can take the form of landslides, liquefaction and associated lateral spreading. The Apple Valley General Plan (Exhibit IV-2) shows areas along the southwestern Town boundary that have a potential for liquefaction. Sites identified for housing in the Vacant Land Inventory are located on the central and southern sides of the Town, and are not located in or near areas with a liquefaction potential. Neither are these identified housing sites within or near areas identified with potential rockfall and landslide hazards (General Plan Exhibit IV-2).

According to the General Plan, the Town of Apple Valley is susceptible to wind erosion, runoff, and sedimentation. Future development facilitated by the Housing Element Update will involve ground disturbance, which has the potential to increase soil erosion. Contractors will be required to implement project-specific dust control management plans as part of the grading permit process to minimize potential impacts caused by blowing dust and sand during construction (Municipal Code Section 9.70.020 Performance Standards). Housing development on sites identified in the Vacant Land Inventory will result in new structures, paved roads and parking areas, new landscaping, and otherwise stabilized surfaces, which will help resist erosion.

According to the General Plan, subsidence studies determined that no ground subsidence has been detected in Apple Valley. The risk of collapsible soils and settlement can depend on site-specific characteristics. These potential hazards should be evaluated on a site-specific basis as part of geotechnical studies for future development. Mitigation can be accomplished through a variety of design, engineering, and construction methods. Building and seismic code requirements assure that the potential impact associated with unstable soils is reduced to less than significant levels through thoughtful site planning, and conventional site preparation techniques such as over-excavation, hydro-consolidation, and compaction.

The Town is primarily underlain by young alluvium composed of unconsolidated to moderately consolidated silt and sand. Expansive soils are limited to finer-grained sediments that have a clay component. As a result, the potential for expansive soils is generally low. Future housing development will be required to identify potential expansive soils through site-specific geotechnical investigations, which will provide mitigation measures where necessary.

The Town adopted a Sewer Connection Policy in 2006 that requires new development to connect with sewer facilities where the parcel is within one-half mile of existing sewer facilities. The sites identified for housing in the Vacant Land Inventory are located within 100 feet of existing sewer trunks, and will be required to connect with sewer facilities. No impact associated with septic tanks or alternate wastewater disposal systems would occur.

The sites identified for housing in the Vacant Land Inventory are located on the valley floor where soils to depth are largely comprised of recently deposited aeolian and alluvial sediments that typically do not harbor paleontological resources. These sites are not located in proximity to either a wash outflow or bedrock that could harbor such resources, nor are they of lacustrine origin. Any potential impact as a result of future housing development will be addressed in site-specific environmental review and technical studies, where necessary.

**Mitigation:** None required.

**Monitoring:** None required.

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

**Sources:** Apple Valley General Plan 2009; Apple Valley Climate Action Plan, 2019 Update; MDAQMD CEQA and Federal Conformity Guidelines.

### Background

Greenhouse gases (GHG), including carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), and fluorinated gases (hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride), are released into the atmosphere through natural processes and human activities. They are called “greenhouse gases” due to their common ability of trapping heat, and they are believed to be responsible for overall increases in global surface temperatures observed in the 20<sup>th</sup> and 21<sup>st</sup> centuries. Sources of GHGs include burning of fossil fuels, emission of volatile gases including and especially natural gas, and other chemical compounds.

The Apple Valley Climate Action Plan Update (2019) evaluates Town-wide GHG emissions, determines reduction targets and forecasts, and establishes reduction measures for community development, municipal operations, and new development.

### GHG Thresholds

According to the MDAQMD CEQA and Federal Conformity Guidelines, the annual threshold for greenhouse gases is 100,000 tons CO<sub>2</sub>e annually, and 548,000 pounds daily.

- a, b) **No Impact.** The Housing Element Update is a policy document and will have no impact on greenhouse gas emissions, as it will not generate any construction or development. The Housing Element identifies programs offered by the Town and other agencies that help reduce GHG emissions, which will reduce project-level GHG emissions.

The Town implements policies and measures outlined in the 2019 Climate Action Plan Update; those applicable to housing development and rehabilitation include energy efficiency building technologies, alternative transportation and renewable energy. As future housing projects are proposed, the Town will undertake CEQA review, and assess potential impacts for each project on greenhouse gas emissions using the GHG thresholds established by MDAQMD.

**Mitigation:** None required.

**Monitoring:** None required.

9. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) 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"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Sources:** Apple Valley General Plan 2009; California Department of Toxic Substances Control “EnviroStor” Database; Town of Apple Valley Airport Comprehensive Land Use Compatibility Plan, March 1995; Fire and Resources Assessment Program (FRAP) Fire Hazard Severity Zone Viewer, California Department of Forestry and Fire Protection, accessed November 2021; Apple Valley Local Hazard Mitigation Plan, 2017 Plan Update.

### Background

A hazardous material is any substance that, because of its quantity, concentration, or physical or chemical properties, may pose a hazard to human health and the environment. Under Title 22 of the California Code of Regulations (CCR), the term “hazardous substance” refers to both hazardous materials and hazardous wastes. They are classified according to four properties: (1) ignitability; (2) corrosivity; (3) reactivity; and (4) toxicity. A hazardous material is defined as a substance or combination of substances which may either (1) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.

a-g) **No Impact.** The Housing Element Update is a policy document and will not impact hazards or hazardous materials. Future housing development will be required to assess potential impacts as part of the CEQA process, but these potential impacts are likely to be negligible, since housing development does not generate significant use, storage or transport of hazardous materials. There are many schools in the Town, and some are adjacent to or near sites designated for housing in the Vacant Land Inventory. However, housing

development typically generates minimal hazardous materials which are governed by local and regional regulations.

According to the California Department of Toxic Substances Control EnviroStor Database, the sites identified for housing in the Vacant Land Inventory do not occur on sites identified by the state as now having or previously having hazardous materials issues.

The identified housing sites are not located in or near any Airport Overlay District identified in the Apple Valley Airport Comprehensive Land Use Compatibility Plan, nor are they in or near any noise contours identified by the plan. No other airports or private airstrips are located within two miles of any identified housing sites. Therefore, the Housing Element Update will not result in a safety hazard or excessive noise for future residents and employees on identified housing sites.

The Apple Valley Local Hazard Mitigation Plan (2017) is the Town's plan for reducing and/or eliminating natural disaster risks. It evaluates and prioritizes hazards associated with flooding, wildfire, earthquake/geologic conditions, extreme heat, and climate change. The Town's Emergency Operations Plan (EOP) (2014) guides its response to large-scale emergencies and disasters. The General Plan Emergency Preparedness Element identified evacuation routes in the Town, including Central Road, Highway 18, and Bear Valley Road. Housing projects will occur on the Town's existing street system, which is already developed. For each individual housing project proposed in the future, a Construction Traffic Control Plan may be required in coordination with the Town's Public Works Division to ensure traffic safety and preservation of emergency/secondary access during all development activities. The site plans and emergency access for each individual project will be subject to approval by the Fire Protection District and Police Department to ensure adequate emergency access. No impact to emergency access or evacuation routes is anticipated.

According to CALFire Fire Hazard Severity Zone mapping, the majority of the Town is in a Local Responsibility Area (LRA). There are no State Responsibility Areas (SRA) or very high fire hazard severity zones (VHFHSZ) in the Town. Because sites identified for future housing are not in or near any fire hazard zones, no impact regarding wildfires would occur. The Housing Element will facilitate development and redevelopment of housing units; however, it is not expected to exacerbate fire risks because all structures and improvements will be required to adhere to applicable fire codes and will be subject to review by the Fire Protection District. No impact would occur.

**Mitigation:** None required.

**Monitoring:** None required.



10. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<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, or through the addition of impervious surfaces, in a manner which would: i) Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) 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"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source:** Apple Valley General Plan 2009; LAFCO 3187 Countywide Service Review for Water (Wholesale, Retail, Recycled), LAFCO for San Bernardino County, July 19, 2017; Liberty Utilities – Apple Valley 2020 Urban Water Management Plan Final Draft, June 2021; National Flood Hazard Layer Viewer, Federal Emergency Management Agency, accessed November 2021; Apple Valley Emergency Operations Plan (Appendix 7), November 1, 2014.

### Background

Drainage from many of the hills and mountains surrounding Apple Valley generally terminates in desert playas (dry lakes), while drainages along the western side of the Town discharge into the Mojave River. Designated flood zones are generally associated with the Mojave River, Desert Knolls Wash, and Apple Valley Dry Lake. Three types of storm events have the potential to cause flooding in Apple Valley: winter storms, summer tropical storms, and local thunderstorms. Several historic storms have resulted in flooding, mud flows, and erosion.

Liberty Utilities provides domestic water service to the majority of Apple Valley and sources 100% groundwater for its water supply. Other water service providers in the Town include Golden State Water Company, Navajo Mutual Water Company and County Service Area 64, and their service areas are generally along the perimeter of the Town.

The Town owns and operates a relatively new municipal sewer collection system, which does not cover the entire Town yet. The Town’s sewer system conveys wastewater to the Regional Wastewater Reclamation Facility (RWWRF) operated by Victor Valley Wastewater Reclamation Authority (VWVRA) in Victorville. A treatment facility has also been recently constructed to serve the Town.

- a-e) **No Impact.** The adoption of the Housing Element Update will have no impact on water resources. The Update is a policy document and does not involve the construction of any new housing units. The Town, VVWRA, Liberty Utilities and other water providers implement all water quality standards and waste discharge requirements to prevent contamination of water sources during construction and operation. Currently, certain areas in the Town use septic tanks, which are regulated by the Regional Water Quality Control Board (RWQCB) to ensure they do not pollute the groundwater basin. The Town adopted a Sewer Connection Policy in 2006 that requires new development to connect with sewer facilities where the parcel is within one-half mile of existing sewer facilities. Future housing developments will be reviewed under CEQA to assure that they meet the standard requirements.

The majority of future housing development, including on sites identified for housing in the Vacant Land Inventory will receive water service from Liberty Utilities. The Liberty – Apple Valley system currently sources 100% of its water from the Mojave groundwater basin, which is recharged through natural means and imported water from the State Water Project. According to its 2020 Urban Water Management Plan (UWMP), based on historical and on-going management practices, Liberty Utilities will be able to rely on the Mojave Basin Area for adequate supply over the next 25 years during a normal year, a single-dry year and a five consecutive year drought. The identified housing sites are expected to develop under the designations of the Town’s 2009 General Plan; therefore, the water demand is addressed in the UWMP. Future housing development will be subject to water conservation requirements in the Municipal Code (Chapter 6.40) such as efficient irrigation and water efficient appliances. Therefore, the proposed Housing Element Update will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

The Town requires that all proposed development shall capture, retain and infiltrate 100% of a 100-year one hour storm event that falls on the site, or as determined by the Town Engineer (Municipal Code Section 9.28.100). Additional provisions are in place to ensure that future development will not exacerbate runoff related impacts to downstream properties. Town and Regional Water Quality Control Board review will ensure that construction and operational best management practices (BMPs) satisfy local, state, and federal standards. In addition, the Town would require preparation of a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the National Pollutant Discharge Elimination System (NPDES) prior to the issuance of grading permits for individual projects as they are proposed.

The majority of the Town is designated Zone D or Zone X on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM). Zone D identifies areas of potential but undetermined flood hazards, as no analysis of flood hazards has been conducted, and Zone X identifies areas of minimal flood hazard. However, residential areas around the Desert Knolls Wash and Apple Valley Dry Lake are designated Zone A, which identifies areas of 100-year flood. Some sites identified for future housing are near the Apple Valley Dry Lake and located within 100-year flood zones. Flood protection measures are recommended by FEMA for property owners to implement and reduce flood damage, including: the installation of waterproof veneers on the exterior walls of buildings; putting seals on all openings, including doors, to prevent the entry of water; raising electrical components above the anticipated water level; and installing backflow valves that prevent sewage from backing up into the house through the drainpipes. The General Plan Flooding and Hydrology Element Policy 1.D requires that all new development within the Town incorporate adequate flood mitigation measures, including the adequate siting of structures located within flood plains, grading that prevents adverse drainage impacts to adjacent properties, and on-site retention of runoff. Impacts on individual housing projects will be analyzed and mitigated, where necessary, during the project-level CEQA review.



The Town is located inland, well outside of any tsunami zones. Seiches due to seismic shaking could occur in the shallow lakes in and around the Town and minor sloshing of water out of the lakes and onto the immediately adjacent surrounding areas may occur. Sites identified for future housing are not near any large water bodies, and water tanks are required to implement seismic design per the American Water Works Association (AWWA) Standards for Design of Steel Water Tanks to reduce potential for seiches. The standard requirements on flood and drainage control would minimize the risk of release of pollutants in the unlikely event of project inundation on future housing development sites.

**Mitigation:** None required.

**Monitoring:** None required.

11. LAND USE AND PLANNING - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: Apple Valley General Plan 2009; Apple Valley Development Code.

### Background

Much of the urbanization in Apple Valley has occurred in the vicinity of Highway 18 and the Mojave River. Outlying areas are undeveloped or sparsely developed with low or very low density residential development and ranchos. The area's natural assets, including mountains, desert open space, and warm climate, have become progressively important to the local economy and environment, and contribute to the region's character and desirability.

a-b) **No Impact.** The adoption of the Housing Element Update will have no impact on land use and planning. The sites identified for future housing are all vacant. While some sites are in the corner of or adjacent to a residential area, none of them are expected to physically divide an established community based on location and size.

All the sites identified in the Vacant Land Inventory allow residential uses, and are expected to be developed under their General Plan and zoning designations. Future housing projects will be subject to the development standards set forth in the Development Code (Municipal Code Title 9) or effective Specific Plans. The Housing Element Update will not conflict with any land use plan, policy, or regulation. No impact would occur.

**Mitigation:** None required.

**Monitoring:** None required.

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

Sources: Apple Valley General Plan 2009.

### Background

In Apple Valley, mineral resources are largely limited to aggregates, such as sand, gravel, and crushed stone. These are major components of concrete, plaster, stucco, road base, and fill, which are essential to the construction industry. There are important deposits of these materials that occur within the region that are being actively developed. The majority of the Town is classified as Mineral Resource Zone (MRZ) - 3a, defined as areas containing known mineral deposits of undetermined significance; small portions are designated as MRZ-1, defined as areas where available geologic information indicates that there is little likelihood that significant mineral resources exist. Areas identified with significant mineral resources are along the western Town boundary.

- a, b) **No Impact.** The adoption and implementation of the Housing Element Update will have no impact on mineral resources. The Housing Element will facilitate housing development according to the General Plan and zoning designations, in areas where residential uses are permitted rather than mining. Sites identified for future housing in the Vacant Land Inventory are located in MRZ-3a and are not near any area identified with significant mineral resources. There will be no impact on mineral resources.

**Mitigation:** None required.

**Monitoring:** None required.

13. NOISE -- Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project 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) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or 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"/>

**Source:** Apple Valley General Plan 2009; Apple Valley Development Code; Town of Apple Valley Airport Comprehensive Land Use Compatibility Plan, March 1995.

### Background

Major noise sources in Apple Valley include vehicular traffic on highways and arterials, as well as aircraft, trains, and industrial operations. The Town has consistently implemented Land Use Compatibility for Community Noise Environments as provided in General Plan Table IV-4 over the years. The Town’s Noise Ordinance (Municipal Code Section 9.73) establishes community-wide noise standards and emphasizes the value of an acceptable noise environment.

a-c) **No Impact.** The adoption of the Housing Element Update, a policy document, will have no impact on noise. Future housing development will be required to study noise issues as part of the CEQA and building permit processes. All sites identified for future housing in the Vacant Land Inventory are located in urban or suburban areas and adjacent to existing development. Typical noise sources include transportation-related such as highways and arterials, and stationary sources such as typical commercial and residential activities and landscaping equipment. The Town will require the preparation of site-specific noise studies to assess impacts from mobile and stationary noise sources, as appropriate. Should noise levels at future housing sites require mitigation, common mitigation measures include building setbacks, wall and window insulation, sound walls, earthen berms and landscape barriers as detailed in the General Plan Noise Element Program 1.A.2.

The construction of housing projects in the future may create temporary noise and vibration sources. The Town’s Municipal Code imposes noise standards and limits construction hours to the less sensitive day time hours (Municipal Code Section 9.73.060.F). The Town’s Noise Ordinance also includes provisions on vibration sources (Municipal Code Section 9.73.060.G). Individual projects will be reviewed under CEQA to determine whether their construction impacts will impact neighboring development and provide mitigation, where necessary.

The identified housing sites are not located in or near any Airport Overlay District identified in the Apple Valley Airport Comprehensive Land Use Compatibility Plan, nor are they in or near any noise contours identified by the plan. There are no other airports or private airstrips within two miles of any identified housing sites. Therefore, the Housing Element Update will not expose people to excessive noise levels.

**Mitigation:** None required.

**Monitoring:** None required.

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

**Sources:** Apple Valley General Plan 2009; U.S. Census, 2000 and 2010; Table E-5: City/County Population and Housing Estimates, California Department of Finance, January 1, 2021; 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, Demographics & Growth Forecast Technical Report, Southern California Association of Governments.

### Background

According to the U.S. Census, the Apple Valley population increased from 54,239 in 2000 to 69,135 in 2010, approximately by 27.5%. The latest (2021) population estimate provided by the California Department of Finance is 74,350, which indicates a slower growth of around 7.5% over the last decade. SCAG projects the Town’s population will grow to 101,400 by 2045. In 2021, there were an estimated 27,173 housing units in Apple Valley. Local housing products include a mix of single- and multi-family units and mobile homes.

a-b) **No Impact.** The adoption of the Housing Element Update will have no impact on population or housing. The Housing Element focuses on facilitation of housing development to meet existing and projected housing needs within the Town, but creates no immediate need for housing. The provisions of the Element will be implemented as growth and demand for housing occur, but will not induce any such growth. The Housing Element will facilitate housing development for all segments of the Town’s future population.

The Housing Element prioritizes future housing sites that are within close proximity to existing utility infrastructure such as water and sewer trunk lines. The Element does not propose extension of roads or other infrastructure in any area that may induce unplanned population growth.

The sites identified in the Vacant Land Inventory are vacant, and their development will not displace people or housing. No impact will occur.

**Mitigation:** None required.

**Monitoring:** None required.

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

Source: Apple Valley General Plan 2009.

### Background

Fire protection services are provided to the Town of Apple Valley by the Apple Valley Fire Protection District, and police protection is provided on a service contract basis by the San Bernardino County Sheriff’s Department. Public educational services are provided by the Apple Valley Unified School District (AVUSD). There are many private schools in Town providing childcare to K-12 education.

- a) **No Impact.** The adoption of the Housing Element Update, a policy document, will have no impact on public services. Housing projects proposed in the future will be assessed under CEQA at individual project level, to determine whether they will impact public services. Since housing development sites in the Vacant Land Inventory are located in the urban/suburban areas of the City that already receive adequate public services, they are least likely to cause significant impacts on public services. Lands designated for housing are located out of any State Responsible Areas or Very High Fire Hazard Severity Zones (VHFHSZ) mapped by the California Department of Forestry and Fire Protection (CALFire). Future housing development will be subject to review by the Fire Marshall and Police Department to ensure that they provide adequate access for firefighter and police crew and equipment and incorporate adequate safety design. Projects in the future will be required to pay development impact fees such as fire, law enforcement facilities and school impact fees, which are designed to support the provision of public services and facilities. Future housing projects will be required to dedicate land or pay in-lieu fees (exemptions and partial credit may apply) to the Town to ensure adequate park facilities and services in the Town.

**Mitigation:** None required.

**Monitoring:** None required.

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

**Source:** Apple Valley General Plan 2009.

**Background**

The Town of Apple Valley offers a wide variety of recreational opportunities, including golf courses, bikeways, and parkland. The Town is also near thousands of acres of national, state, and regional park and wilderness lands, within which are miles of hiking, biking and equestrian trails.

a-b) **No Impact.** The adoption of the Housing Element Update, a policy document, will have no impact on recreation. Future housing projects will be required to dedicate land or pay in-lieu fees (exemptions and partial credit may apply) to the Town to ensure adequate park and recreational facilities and services in the Town. Housing developments are encouraged to include onsite amenities for residents, which may qualify as partial credit toward the park in-lieu fees. These issues will be reviewed under CEQA as individual projects are proposed. Because the Update does not result in any new development, it will have no impact on recreational resources.

**Mitigation:** None required.

**Monitoring:** None required.



17. TRANSPORTATION – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric 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"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: Apple Valley General Plan 2009.

### Background

Regional connectivity is provided by Interstate 15 (I-15) and State Highway 18. I-15 extends along the west side of Town in a northeast-southwesterly direction and connects the region to the San Bernardino metropolitan area to the southwest, and Barstow and Las Vegas to the northeast. Highway 18 is a principal commercial corridor in Apple Valley. It extends generally in an east-west direction and connects the region to Victorville and other high desert communities on the west, and Lucerne Valley and the Morongo Basin (via CA-247) to the east.

a-d) **No Impact.** The Housing Element Update is a policy document and will not impact transportation. Future housing projects in the Town will be required to address project-specific traffic impacts in the CEQA review process. As future housing projects are proposed, they will be required to analyze potential traffic impacts and prepare traffic impact studies that include VMT analysis, where necessary. Further, the proposed projects will be required to comply with Town standards regarding roadway widths and improvements, parking, and emergency access, either through CEQA or through conditions of approval. The Town will also require payment of fair share for street improvements and developer impact fees as appropriate.

The sites identified for future housing in the Vacant Land Inventory occur on the Town’s developed street system, and will not interfere with the system. Most sites are close to bus stops served by Victor Valley Transit Authority and existing and proposed bike routes. The Town’s General Plan Circulation Element includes policies that require future development to construct sidewalks, bicycle lanes and recreational trails consistent with the Circulation Element. No impact is anticipated on alternative transportation.

Prior to construction of future housing projects, both the Fire Protection District and Police Department will review project-specific site plans to ensure safety measures are addressed, including emergency access and geometric design. No impact will occur regarding transportation hazards or inadequate emergency access.

**Mitigation:** None required.

**Monitoring:** None required.

<b>18. TRIBAL CULTURAL RESOURCES –</b> Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 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	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
i) 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"/>
ii) 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 § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 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"/>

Source: Apple Valley General Plan 2009.

### Background

The Mojave Desert has a prehistory dating back to 8,000 B.C. or earlier. Apple Valley is located near the boundary between the traditional territories of the Serrano and Vanyume peoples. The Vanyume disappeared before 1900. The Serrano primarily settled on elevated hills and ridges where water emerged from the mountains, but between the 1810s and 1834, most of the Serrano people were removed to nearby missions. The remaining Serrano died or were displaced during punitive expeditions in 1866-1870. Today, many Serrano descendants are affiliated with the San Manuel Band of Mission Indians, Morongo Band of Mission Indians, or Serrano Nation of Indians.

i, ii) **No Impact.** The Town’s General Plan identified areas along the western and northern Town boundaries to have elevated sensitivity for prehistoric sites. The Town will require the preparation of a cultural resource study if a proposed project has the potential to negatively impact sensitive cultural resources.

The adoption of the Housing Element Update will have no impact on tribal cultural resources. The Town conducted AB 52 and SB 18 consultation and sent out written letters to nine tribes. The Town received two responses, and neither tribe requested consultation. As individual projects are proposed in the future, the Town will conduct government-to-government consultations with local tribes pursuant to AB 52 and SB 18 regarding potential tribal cultural resources that could occur on specific project sites.

No listed or eligible historical resources are known to occur on sites identified in the Vacant Land Inventory. Should future housing development be proposed on sites with historic resources or potential tribal cultural resources, any potential impact will be addressed in the project-specific cultural resource study and CEQA process. Overall, no impact is expected.

**Mitigation:** None required.

**Monitoring:** None required.

19. UTILITIES AND SERVICE SYSTEMS – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source:** Apple Valley General Plan 2009; Liberty Utilities – Apple Valley 2020 Urban Water Management Plan Final Draft, June 2021; FINAL Interceptor Risk Analysis, prepared for: Victor Valley Water Reclamation Authority, June 2021.

### Background

The Town is served by the following utility providers.

Utility	Service Provider(s)
Electricity	Apple Valley Choice Energy (AVCE) Southern California Edison (SCE)
Natural gas	Southwest Gas Corporation (SWG)
Water	Majority of Town: Liberty Utilities Peripheral areas: Golden State Water Company, Navajo Mutual Water Company and County Service Area 64
Wastewater	Most parcels: Town of Apple Valley sewer and Victor Valley Wastewater Reclamation Authority Some parcels: septic systems
Solid waste	AVCO Disposal, Inc. (a Burrtec company)
Telecommunications	Frontier, Charter Spectrum

a-e) **No Impact.** The adoption of the Housing Element Update, a policy document, will not impact utilities and service systems as it will not generate construction or development directly. As future housing projects are proposed, potential impacts on utilities will be considered during the entitlement process and CEQA review.

Liberty Utilities, as well as other water providers in Town, are responsible, under the California Water Code, for analyzing their current and future water supply, and assuring that sufficient supply is available to serve land uses within their service area, through the preparation of an Urban Water Management Plan (UWMP). The majority of future housing development, including on sites identified for housing in the Vacant Land Inventory will receive water service from Liberty Utilities. The Liberty – Apple Valley system currently sources 100% of its water from the Mojave groundwater basin, which is recharged through natural means and imported water from the State Water Project. According to its 2020 Urban Water Management Plan (UWMP), based on historical and on-going management practices, Liberty Utilities will be able to rely on the Mojave Basin Area for adequate supply over the next 25 years during a normal year, a single-dry year and a five consecutive year drought. The 2020 UWMP used the Town’s General Plan land uses as a basis for planning. The identified housing sites are expected to develop under the designations by the Town’s 2009 General Plan; therefore, the water demand is addressed in the UWMP.

The municipal sewer system is relatively new and does not serve the entire Town yet. Some parcels rely on septic systems. Others are connected to the sewer system which conveys wastewater to the Regional Wastewater Reclamation Facility (RWWRf) operated by Victor Valley Wastewater Reclamation Authority (VWVRA) in Victorville. It currently treats approximately 10.7 million gallons per day (mgd) and has a design capacity of 18 mgd, with planned future expansions.<sup>1</sup> Therefore, it is expected to have available capacity to manage additional wastewater generated by future development consistent with the Town’s General Plan.

As discussed in Section 10, Hydrology and Water Quality, future development will need to install onsite drainage systems to meet Town requirements on stormwater retention and avoid adverse impacts on the public drainage system.

The Town contracts with AVCO Disposal for provision of solid waste management and disposal services. AVCO Disposal will charge a per unit fee on future housing units. Regional landfills have sufficient capacity to accommodate future development in the City.

The energy and telecommunications service providers also plan their infrastructure according to local development and population growth. All future housing projects will be required to analyze their demand for utility services at the individual project level.

The Housing Element Update will not result in any new development, and will have no impact on utilities and service systems.

**Mitigation:** None required.

**Monitoring:** None required.

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<sup>1</sup> FINAL Interceptor Risk Analysis, prepared for: Victor Valley Water Reclamation Authority, June 2021.

20. <b>WILDFIRE</b> – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Sources:** Apple Valley General Plan 2009; Fire and Resources Assessment Program (FRAP) Fire Hazard Severity Zone Viewer, California Department of Forestry and Fire Protection, accessed November 2021; Town of Apple Valley Local Hazard Mitigation Plan, 2017 Update.

**Background**

The California Department of Forestry and Fire Protection (CALFire) ranks fire hazards of wildland areas in the state using four main criteria: fuels, weather, assets at risk, and level of service. The majority of Apple Valley is in a Local Responsibility Area (LRA). There are no State Responsibility Areas (SRA) or very high fire hazard severity zones (VHFHSZ) in the Town. The local areas with the most significant wildfire threats are the Marianas in the southern foothills and the Mojave Riverbed.

a-d) **No Impact.** The adoption of the Housing Element Update, a policy document, will have no impact on wildfire. The sites designated for housing in the Vacant Land Inventory are not in or near an SRA or VHFHSZ.

The Apple Valley Fire Protection District provides fire protection to the Town and maintains mutual aid agreements with Victorville, San Bernardino County Fire Department, and the Bureau of Land Management. The Town maintains a Local Hazard Mitigation Plan that addresses the planned response to extraordinary emergency situations, including wildfires. The Town has established emergency evacuation routes including Highway 18, Central Road and Bear Valley Road. As future housing projects are proposed, they will be subject to review by the Fire Protection District for adequate emergency access. The Housing Element would not impair the adopted emergency response plan and is not expected to exacerbate wildfire risks.

**Mitigation:** None required.

**Monitoring:** None required.

<b>21. MANDATORY FINDINGS OF SIGNIFICANCE</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially 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, substantially 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) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-c) **No Impact.** The adoption of the Housing Element Update will not impact the environment. As identified in this document, there will be no biological or cultural resources impacts, nor will adoption impact human beings. The Housing Element is consistent with the balance of the General Plan, and housing development facilitated by the Element will not impact long term environmental goals. All sites identified for housing will be developed according to their General Plan and zoning designations. Cumulative impacts, if any, have been addressed in the General Plan and its associated environmental documentation and will also be considered at individual project level as projects are proposed under the Housing Element policies.

## REFERENCES

Apple Valley Climate Action Plan, 2019 Update

Apple Valley Development Code, as amended

Apple Valley Emergency Operations Plan, November 1, 2014

Apple Valley General Plan 2009

Apple Valley Local Hazard Mitigation Plan, 2017 Plan Update

California Department of Conservation, Farmland Mapping & Monitoring Program, 2016

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California State Scenic Highway System Map and List, Caltrans

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National Flood Hazard Layer Viewer, Federal Emergency Management Agency, accessed November 2021

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Table E-5: City/County Population and Housing Estimates, California Department of Finance, January 1, 2021

Town of Apple Valley Airport Comprehensive Land Use Compatibility Plan, March 1995

U.S. Census, 2000 and 2010

Fire and Resources Assessment Program (FRAP) Fire Hazard Severity Zone Viewer, California Department of Forestry and Fire Protection, accessed November 2021

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