

**TOWN OF  
APPLE VALLEY, CALIFORNIA  
AGENDA MATTER**

**SUBJECT ITEM:**

**GENERAL PLAN AMENDMENT NO. 2008-001: A REQUEST TO CONSIDER A COMPREHENSIVE UPDATE OF THE TOWN OF APPLE VALLEY GENERAL PLAN, INCLUDING ALL MANDATED ELEMENTS.**

**ANNEXATION 2008-001: A REQUEST TO CONSIDER THE ANNEXATION OF 4.3 SQUARE MILES KNOWN AS THE "GOLDEN TRIANGLE," AND LOCATED EAST OF INTERSTATE 15, NORTH OF JOHNSON ROAD, WEST OF DALE EVANS PARKWAY, AND SOUTH OF MORRO ROAD.**

**ANNEXATION 2008-002: A REQUEST TO CONSIDER THE ANNEXATION OF 1.3 SQUARE MILES LOCATED SOUTH OF QUARRY ROAD AND EAST OF CENTRAL ROAD.**

**SUMMARY STATEMENT – (Continued to Page Two)**

**Recommended Action:**

**Move to open public hearing and take testimony. Continue the public hearing to the Town Council's regular meeting of June 9, 2009.**

**Proposed by:           Planning Division**

**Item Number \_\_\_\_\_**

**Town Manager Approval: \_\_\_\_\_**

**Budget Item  Yes  No  N/A**

Council Meeting Date: 5/12/2009

**Summary Statement:**

At the April 15, 2009 Planning Commission meeting, the Commission reviewed General Plan Amendment No. 2008-001, Annexation No. 2008-001 and Annexation No. 2008-002, and recommended approval of these items by the Town Council.

**Background and Introduction**

The Town initiated the Comprehensive General Plan Update process in the spring of 2007. A series of over sixty (60) individual interviews of stakeholders and community meetings were held through the fall of that year. After the completion of the work of the General Plan Advisory Committee (GPAC) on the "Land Use Element" and "Land Use Map", in June of 2008, a *Draft* General Plan was completed.

The Town Council also directed staff to include consideration of Annexation Nos. 2008-001 and 2008-002 in the General Plan Update process. The Annexation effort will continue, should the Town Council approve the land use plan for the areas, after approval of the General Plan, and should be completed by the end of 2009 or early 2010.

With completion of the Draft General Plan, the environmental review process was initiated in mid-2008. The Draft Environmental Impact Report (EIR) for the General Plan was completed and transmitted to the public, utilities, governmental agencies and others for a forty-five (45)-day public comment period, which ended on March 26, 2009. Comments were received, and responses have been prepared, which are included in the Response to Comments attached to this staff report.

**General Plan**

The General Plan area encompasses approximately seventy-two (72) square miles. The Town limits can generally be described as follows: bounded on the west by the Mojave River and U.S. Interstate 15, on the north by the northern section lines of Sections 3, 4 and 5, Township 6 North, Range 3 West, San Bernardino Base and Meridian, on the east by Central Avenue and Joshua Road, and on the south by Tussing Ranch Road and Ocotillo Way.

The proposed General Plan encompasses all the mandated elements (please see the description in the attached Planning Commission staff report). The land use plan for the proposed General Plan does not significantly vary from the existing land use pattern in Town. Table 1 summarizes the land use distribution of the current General Plan, while Table 2 illustrates the proposed General Plan land use plan.

**Table 1  
Existing General Plan Land Use Alternative Build Out Land Use Summary**

Town Limits Only						
Land Use Designation	Developed Acres	Vacant Acres	Total Acres	Existing Units	Potential Units	Total Units
<b>Residential Designations</b>						
Very Low Density Residential	174.46	1,828.18	2,002.64		366	366
Low Density Residential	503.64	3,403.59	3,907.23		1,361	1,361
Estate Residential	3,128.95	2,836.06	5,965.02	20,107	2,836	22,943
Single Family Residential	8,625.30	4,690.55	13,315.86		7,036	7,036
Medium Density	852.07	564.16	1,416.22	3,775	8,462	12,237

**Table 1  
Existing General Plan Land Use Alternative Build Out Land Use Summary**

Residential						
Community Reserve	30.07	3,241.00	3,271.07		3,241	3,241
Specific Plan/Residential Units	1,068.45	5,884.28	6,952.73		2,869	2,869
			<b>Total</b>	<b>23,882</b>	<b>26,171</b>	<b>50,053</b>
<b>Commercial Designations</b>				<b>Existing SF</b>	<b>Potential SF</b>	<b>Total SF</b>
General Commercial	368.44	523.83	892.27	3,530,803	5,019,991	8,550,794
Regional Commercial	19.40	844.56	863.96	185,937	8,093,581	8,279,518
Service Commercial	147.66	150.77	298.42	1,415,034	1,444,831	2,859,865
Office Professional	49.34	186.04	235.38	472,851	1,782,838	2,255,689
Specific Plan/Commercial	1,068.45	5,884.28	6,952.73	1,740,086	4,922,924	6,663,010
			<b>Total</b>	<b>7,344,710</b>	<b>21,264,165</b>	<b>28,608,875</b>
<b>Industrial Designations</b>				<b>Existing SF</b>	<b>Potential SF</b>	<b>Total SF</b>
Planned Industrial	3.50	91.49	95.00	33,560	876,810	910,369
Specific Plan/Industrial	1,068.45	5,884.28	6,952.73	3,053,208	33,885,237	36,938,445
			<b>Total</b>	<b>3,086,768</b>	<b>34,762,047</b>	<b>37,848,814</b>
<b>Other Designations</b>						
Public Facility	263.78	60.92	324.70			
Open Space	241.94	2,771.70	3,013.64			0
Mineral Resources	111.6	340.9	452.5			0
Street Rights-of-Way	2,563.53	1,378.11	3,941.64			
<b>Grand Total</b>	<b>18,152.1</b>	<b>28,796.2</b>	<b>46,948.3</b>			
<b>Annexation Areas Only</b>						
	<b>Developed Acres</b>	<b>Vacant Acres</b>	<b>Total Acres</b>	<b>Existing Units</b>	<b>Potential Units</b>	<b>Total Units</b>
<b>Residential Designations</b>						
Rural Living	157.0	2,376.5	2,533.5		2,377	2,377
Rural Living, 5 AC.	14.2	425.5	439.7		85	85
Resource Conservation	0.1	77.7	77.8		4	4
			<b>Total</b>	<b>-</b>	<b>2,465</b>	<b>2,465</b>
<b>Commercial Designations</b>				<b>Existing SF</b>	<b>Potential SF</b>	<b>Total SF</b>
Neighborhood Commercial		7.9	7.9	-	53,192	53,192
<b>Industrial Designations</b>				<b>Existing SF</b>	<b>Potential SF</b>	<b>Total SF</b>
Community Industrial		50.5	50.5	-	483,608	483,608
Regional Industrial		273.2	273.2	-	2,617,768	2,617,768
			<b>Total</b>	<b>-</b>	<b>3,101,376</b>	<b>3,101,376</b>
<b>Other Designations</b>						
Street Rights-of-Way	43.0	154.0	197.0			
<b>Grand Total</b>	<b>214.3</b>	<b>3,365.2</b>	<b>3,579.6</b>			
<b>Planning Area Total</b>						
<b>Land Use Designation</b>	<b>Developed Acres</b>	<b>Vacant Acres</b>	<b>Total Acres</b>	<b>Existing Units</b>	<b>Potential Units</b>	<b>Total Units</b>

**Table 1  
Existing General Plan Land Use Alternative Build Out Land Use Summary**

<b>Residential Designations</b>						
Rural Living (County)	157.0	2,376.5	2,533.5		2,377	2,377
Rural Living, 5 AC. (County)	14.2	425.5	439.7		85	85
Resource Conservation (County)	0.1	77.7	77.8		4	4
Very Low Density Residential	174.46	1,828.18	2,002.64		366	366
Low Density Residential	503.64	3,403.59	3,907.23		1,361	1,361
Estate Residential	3,128.95	2,836.06	5,965.02	20,107	2,836	22,943
Single Family Residential	8,625.30	4,690.55	13,315.86		7,036	7,036
Medium Density Residential	852.07	564.16	1,416.22	3,775	8,462	12,237
Community Reserve	30.07	3,241.00	3,271.07		3,241	3,241
Specific Plan/Residential Units	1,068.45	5,884.28	6,952.73		2,869	2,869
			<b>Total</b>	<b>23,882</b>	<b>28,637</b>	<b>52,519</b>
<b>Commercial Designations</b>				<b>Existing SF</b>	<b>Potential SF</b>	<b>Total SF</b>
Neighborhood Commercial (County)		7.9	7.9	-	<b>53,192</b>	<b>53,192</b>
General Commercial	368.44	523.83	892.27	3,530,803	5,019,991	8,550,794
Regional Commercial	19.40	844.56	863.96	185,937	8,093,581	8,279,518
Service Commercial	147.66	150.77	298.42	1,415,034	1,444,831	2,859,865
Office Professional	49.34	186.04	235.38	472,851	1,782,838	2,255,689
Specific Plan/Commercial	1,068.45	5,884.28	6,952.73	1,740,086	4,922,924	6,663,010
			<b>Total</b>	<b>7,344,710</b>	<b>21,317,357</b>	<b>28,662,067</b>
<b>Industrial Designations</b>				<b>Existing SF</b>	<b>Potential SF</b>	<b>Total SF</b>
Community Industrial (County)		50.5	50.5	-	483,608	483,608
Regional Industrial (County)		273.2	273.2	-	2,617,768	2,617,768
Planned Industrial	3.50	91.49	95.00	33,560	876,810	910,369
Specific Plan/Industrial	1,068.45	5,884.28	6,952.73	3,053,208	33,885,237	36,938,445
			<b>Total</b>	<b>3,086,768</b>	<b>37,863,422</b>	<b>40,950,190</b>
<b>Other Designations</b>						
Public Facility	263.78	60.92	324.70			
Open Space	241.94	2,771.70	3,013.64			
Mineral Resources	111.6	340.9	452.5			
Street Rights-of-Way	2,563.74	1,382.01	3,945.75			
<b>Grand Total</b>	<b>18,323.6</b>	<b>32,011.3</b>	<b>50,335.0</b>			

**Table 2**  
**Proposed General Plan Build Out Summary: Town & Unincorporated Lands**

<b>RESIDENTIAL LAND USES</b>												
<b>Town Limits</b>							<b>Annexation Areas</b>					
<b>Land Use Designation</b>	<b>AC Dev.</b>	<b>AC Vacant</b>	<b>AC Total</b>	<b>Exist. Units</b>	<b>Future Units</b>	<b>Total Units</b>	<b>AC Dev.</b>	<b>AC Vacant</b>	<b>AC Total</b>	<b>Exist. Units</b>	<b>Future Units</b>	<b>Total Units</b>
Very Low Density Residential (1 du/5 or more gross ac)	174.1	1,787.4	1,961.5		357	357	--	--	--	--	--	--
Low Density Residential (1 du/2.5 - 5 gross ac)	390.1	3,113.3	3,503.5		1,245	1,245	--	--	--	--	--	--
Estate Residential (1du/1 – 2.5 gross ac)	3,177.8	3,489.1	6,666.9	20,107	3,489	23,596	55.7	722.3	778.0	--	722	722
Estate Residential ¾ (1 du/0.75 – 1 ac)	20.8	454.9	475.7		607	607	--	--	--	--	--	--
Single-Family Residential (1 du/0.4-0.9 ac)	8,424.0	4,103.9	12,527.9		6,156	6,156	--	--	--	--	--	--
Medium Density Residential (4- 20 du/ac)	745.1	1,180.8	1,925.9	3,775	17,712	21,487	41.4	177.3	218.7	--	2,659	2,659
Mobile Home Park (5-15 du/ac)	178.5	1.5	180.0	1,043	23	1,066	--	--	--	--	--	--
Mixed Use	51.6	236.7	288.3		2,130	2,130	0.00	94.8	94.8	--	854	854
Specific Plan	1,068.6	5,978.2	7,046.8		2,869	2,869	--	--	--	--	--	--
<b>Residential Total</b>	<b>14,230.7</b>	<b>20,345.9</b>	<b>34,576.6</b>	<b>24,925</b>	<b>34,588</b>	<b>59,513</b>	<b>97.2</b>	<b>994.4</b>	<b>1,091.6</b>	<b>--</b>	<b>4,236</b>	<b>4,236</b>

<b>COMMERCIAL AND INDUSTRIAL LAND USES</b>												
<b>Town Limits</b>					<b>Annexation Areas</b>							
<b>Land Use Designation</b>	<b>Acres Dev.</b>	<b>Acres Vacant</b>	<b>Acres Total</b>	<b>Total Potential SF</b>	<b>Acres Dev.</b>	<b>Acres Vacant</b>	<b>Acres Total</b>	<b>Total Potential SF</b>				
Mixed Use <sup>1</sup>	51.6	236.7	288.3	1,587,686	0.0	94.9	94.9	636,612				
General Commercial	385.5	1,165.3	1,550.8	14,861,742	11.7	40.8	52.6	503,617				
Regional Commercial	31.7	1,271.3	1,303.0	12,486,488	7.2	435.3	442.5	4,240,502				
Service Commercial	146.8	188.7	335.6	3,215,875	--	--	--	--				
Office Professional	74.2	542.6	616.8	5,910,597	--	183.1	183.1	1,754,639				
Specific Plan <sup>1</sup>	1,068.6	5,978.2	7,046.8	6,663,010	--	--	--	--				
<b>Commercial Sub Total</b>	<b>638.2</b>	<b>3,167.9</b>	<b>3,806.1</b>	<b>44,725,397</b>	<b>19.0</b>	<b>659.2</b>	<b>678.1</b>	<b>7,135,369</b>				
Planned Industrial	21.4	623.9	645.3	6,183,941	55.3	1,557.8	1,613.1	14,929,042				
Specific Plan <sup>1</sup>	1,068.6	5,978.2	7,046.8	36,938,445	--	--	--	--				
<b>Industrial</b>	<b>21.4</b>	<b>623.9</b>	<b>645.3</b>	<b>43,122,386</b>	<b>55.3</b>	<b>1,557.8</b>	<b>1,613.1</b>	<b>14,929,042</b>				

**Table 2**  
**Proposed General Plan Build Out Summary: Town & Unincorporated Lands**

<b>Sub Total</b>								
<b>Grand Total Commercial &amp; Industrial</b>	<b>659.6</b>	<b>3,791.8</b>	<b>4,451.4</b>	<b>87,847,783</b>	<b>74.2</b>	<b>2,217.1</b>	<b>2,291.2</b>	<b>22,594,023</b>
Public Facility	353.5	119.1	472.5		--	--	--	
Open Space	233.3	2,820.6	3,053.9		--	--	--	
Mineral Resources	111.6	340.9	452.5		--	--	--	
Street Rights-of-Way	2,563.5	1,377.8	3,941.2		43.1	153.8	196.9	
<b>Grand Total Other Uses</b>	<b>3,261.8</b>	<b>4,658.5</b>	<b>7,920.3</b>		<b>43.1</b>	<b>153.8</b>	<b>196.9</b>	

<sup>1</sup> Mixed-Use and Specific Plan acreage included under Residential, above.

The proposed General Plan includes three (3) new land use designations: Estate Residential  $\frac{3}{4}$  (1 du/0.75 – 1.0 ac), Mobile Home Park (both applying to residential uses), and Mixed Use, which provides for residential and commercial components within an integrated master-planned project.

The details of the General Plan can be found in the General Plan document itself, previously provided to the Town Council. Please note that the Housing Element has been modified slightly to add text requested by the State Department of Housing and Community Development. Negotiations regarding the Housing Element are almost complete, and staff anticipates final results of these negotiations to be completed the May 12, 2009 Council meeting and made a part of the staff presentation.

**Annexation Nos. 2008-001 and 2008-002**

Annexation No. 2008-001 is generally bounded on the west by U.S.-Interstate 15, on the north by Morro Road, on the east by Dale Evans Parkway, and on the south by Johnson Road. The “Golden Triangle” area encompasses 4.3± square miles, most of which is undeveloped.

Annexation No. 2008-002 is generally bounded on the west by Central Road and the eastern boundary of the Town of Apple Valley, on the north by Quarry Road, on the east by the section line of Section 14, Township 6 North, Range 3 West, Section 14, and on the south by the half-section line of Section 23 Township 6 North, Range 3 West, San Bernardino Base and Meridian. Annexation No. 2008-002 is 1.3± square miles, and includes limited industrial (aggregate quarry) development.

The land use statistics relating to the Annexations are provided in Table 1 and 2 above. As demonstrated in the Tables, and on the Land Use Map contained in the General Plan, the greatest change in land use pattern will occur in No. Annexation 2008-001, where land use designations under the current San Bernardino County General Plan are primarily Rural Residential, and where the proposed General Plan establishes a broad range of land uses, including residential, commercial and industrial lands. The character of Annexation No. 2008-002 will be generally consistent with that anticipated by the San Bernardino County General Plan, as the County envisioned industrial land uses on these lands, and the proposed General Plan applies consistent industrial designations.

## **Land Use Change Requests**

Since the Planning Commission's hearing on April 15, 2009, staff has received four (4) requests for changes to land use designations on individual lots. These are described in the Land Use Change Request Matrix (Attachment 1). Staff respectfully requests that the Mayor and Council consider each request individually, including taking public testimony, and make a preliminary determination on each request.

### Letter from Mr. Carl Coleman

In addition, staff received a study, addressed to the Town Council, from Mr. Carl Coleman, Altec Engineering. The study (Attachment 2), entitled "General Plan Analysis," makes several broad requests for changes to the Land Use Map, which are addressed individually below. The staff comments on the areas addressed by Mr. Coleman are numbered as Mr. Coleman numbered them.

Area 1: This area was considered as a Focus Area in the community workshops and in the GPAC meetings. Several land use scenarios were discussed, and the GPAC felt that the areas east of Dale Evans and north of Quarry Road should remain in large lots. The Committee ultimately recommended the Residential Low Density (R-LD) designation, at a minimum lot size of 1 to 2.5 acres; and the Residential Very Low Density (R-VLD) designation, at a minimum lot size of five (5) acres or more. Staff concurs with the GPAC's determination – the area is, and will continue to be, rural, is adjacent to open space to the north, and very low intensity residential uses in the County to the east. Mr. Coleman's request for Residential Single Family (R-SF) or Residential Estate (R-E) designation would result in an increase at build-out from about 675 units to 2,700 or 1,350 units, respectively, thereby increasing intensity by two (2) to four (4) times.

Area 2: This area was also considered by GPAC as part of the "Golden Triangle" focus area. (Please also see the "Land Use Change Request TC 2".) The GPAC discussed land use intensity in this area, and felt that the Residential Single Family (R-SF) designation was too intense. The Residential Single Family (R-SF) designation proposed by Mr. Coleman would double the potential units in this area, from 1,430 to 2,860.

Area 3: This area was not considered in particular by the GPAC. However, the GPAC felt that lands surrounding open space areas, such as these 150 acres, should not be developed into more intense land uses, in order to protect the open space areas. The Residential Estate (R-E) designation would accommodate 150 units. Mr. Coleman's proposal of the Residential Multi-Family (R-M) designation would result in up to 3,000 units. This is a significant departure from the Town's character.

Area 4: This area has been considered on several occasions by the GPAC and the Planning Commission at Mr. Coleman's request. He represents some, but not all, of the property owners in the area. The Planning Commission considered the request as its "Land Use Change Request 8" at its meeting of April 15, 2009 (please see attached staff report), and recommended that the Residential Estate (R-E) designation be maintained, consistent with prior actions by both the GPAC and Planning Commission at earlier meetings. These lands were excluded from the North Apple Valley Industrial Specific Plan because of large-lot, residential equestrian, development in the area. The Mixed Use (M-U) designation is not appropriate for these lands, as it represents a radical departure from the area's current character.

Area 5: This area is an older, existing, and partially developed subdivision. The area's character has been established and intensification to the Residential Single Family (R-SF) designation would result in spotty and inconsistent development. The GPAC and Planning Commission did not

address these areas specifically. A change to the Residential Single Family (R-SF) designation would change the ultimate build-out in this area from less than eighty (80) units to 160 units.

Area 6: The GPAC and Planning Commission considered these lands in their deliberations. The landowner made a request of the GPAC, which was repeated at the Joint Planning Commission and GPAC Workshop. Both bodies recommended that the Residential Estate (R-E) designation be maintained. Although greater density may be appropriate in the future, both bodies felt the Residential Estate (R-E) designation was appropriate at this time. The change, requested by Mr. Coleman, would increase density from about 265 units to 530 units.

Area 7: The Deep Creek area was discussed at length by the GPAC and Planning Commission. Although some intensification of land use was proposed, both bodies consistently supported maintaining the Residential Low-Density (R-LD) land use designation. Under this designation, up to 360 units could occur. Under Mr. Coleman's proposal of Residential Estate (R-E) designation, up to 900 units could occur. The character of the Deep Creek area would be significantly affected by this proposed change.

Area 8: This area was discussed by the GPAC in the context of potentially assigning the Residential Equestrian 3/4 (RE-3/4) designation. In addition, the area includes "Land Use Change Request TC 4", described in Attachment 1 of this staff report. The GPAC felt that changing the designation was not appropriate, in part because this area borders San Bernardino County lands at very low intensity, and is partially subdivided into larger lots. The area currently could develop up to 880 units. At Mr. Coleman's suggested Residential Single Family (R-SF) designation, 1,760 units could occur.

Area 9: This area has not been proposed for change from the existing General Plan. The Open Space designation applies to the slope areas, while the Residential Estate (R-E) designation applies to the lots adjacent to Rancherias Road. Staff believes that the designation is correct.

Conclusion: The changes envisioned by Mr. Coleman would increase residential units by up to 8,000 units (from 3,840 to up to 11,910) throughout the community. This represents a thirteen percent (13%) increase in build-out units. Staff would respectfully point out that, if the Council wishes to make the changes requested by Mr. Coleman, the analysis in the General Plan must be revised, the General Plan Environmental Impact Report will need to be re-circulated, and the Council should direct staff to table these proceedings until such time as that process is complete. Staff would anticipate that the process would require about six (6) months before the matter can be returned to the Planning Commission for its consideration, prior to Council action.

#### **Planning Commission Recommendation**

The Planning Commission held three (3) public hearings in its consideration of the General Plan and Annexations, on March 18, April 1 and April 15, 2009. The Commission considered a broad range of issues, including several land use change requests. The Commission recommends two (2) changes to the Land Use Map, as follows (please see Attachment 3):

1. Assessor's Parcel Numbers 434-064-14 & -15, located on the south side of Bear Valley Road, west of Central Road, to Mixed Use; and
2. Assessor's Parcel Number 434-064-76 to R-M.

The Planning Commission also recommends that the Town Council accept the Equestrian Advisory Committee's recommended changes to the Multi-Use Trails Map (General Plan Exhibit II-9), as shown in Attachment 4.



In addition, the Commission recommended changes to the text of the General Plan, which are identified below, and have been included in the Draft General Plan provided to each Council member (all the additions proposed by the Planning Commission are shown in underlined text within the General Plan).

1. The addition of the Green Valley Initiative policies and programs, in cooperation with the County of San Bernardino's efforts to improve regional greenhouse gas emissions (page III-77 and pages III-80 and III-81) .
2. The addition of explanatory text to the "Specific Plan" description in the Land Use Element (page II-12).
3. The addition of Program 1.C.3 in the Commercial and Industrial Land Use Goals, Policies and Programs(page II-27).

The Planning Commission also discussed infill development in existing neighborhoods, where actual development has occurred at lower than allowed densities, and new projects which propose smaller lots in conformance to the actual designation. The area used as an example was the residential neighborhood northeast of Saint Mary's hospital. The Planning Commission expressed a concern that the compatibility of the neighborhood could be affected by new, smaller-lot subdivisions. The Commission directed staff to confer with the Town Council concerning seeking legal counsel on whether or not density buffering principles can be applied to residential infill development when a pattern of existing development is at variance with the underlying zoning of a proposed development. The Town Attorney will provide further information on this matter at the June 9, 2009 Town Council meeting.

Finally, the Planning Commission wished to point out to the Town Council that the policy regarding the preparation of the Apple Valley Habitat Conservation Plan, which had been deleted from the Land Use Element by the GPAC, was included by staff in the Biological Resources Element (Program 1.A.3, page III-53).

### **Environmental Review**

In conjunction with preparation of the General Plan, the Town prepared an Environmental Impact Report (EIR) for the project, as required by the California Environmental Quality Act (CEQA). The EIR found that build-out of the General Plan area will result in significant impacts, but that all these significant impacts can be mitigated to less than significant levels, with the exception of impacts to air quality, land use, and traffic and circulation. As these impacts will remain significant, the Town is required to consider whether the benefits of the proposed project will outweigh these significant impacts. This evaluation was undertaken and Findings and Statement of Overriding Considerations are being prepared for the Town Council's consideration.

### **Findings**

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

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

Comment: The General Plan Update process has included over sixty (60) community meetings and interviews, public workshops, General Plan Advisory Committee meetings, joint General Plan Advisory Committee and Planning Commission, and Planning Commission and Town Council meetings, as well as public hearings to assure that the text, goals, policies and programs developed in the General Plan are consistent with the vision of the community. The General Plan represents the short and long term goals for the growth of Apple Valley in the future.

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

Comment: The General Plan has been comprehensively updated and is internally consistent in all respects. Goals, policies and programs in each element have been designed to further the orderly growth of Apple Valley for the short and long term.

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

Comment: The Land Use Element and associated Land Use Map have been reviewed in community workshops, General Plan Advisory Committee meetings, Planning Commission and Town Council workshops, and assures the orderly development of residential, commercial and other land uses in the future.

**Attachments:**

1. Land Use Change Request Matrix and supporting materials
2. "General Plan Analysis," submitted by Carl Coleman, Altec Engineering
3. Location Map for APN 434-064-14, -15, & -76.
4. Equestrian Advisory Committee Recommended Trails Map
5. Draft General Plan (Separate Handout)
6. Draft Environmental Impact Report (Separate Handout)

**ATTACHMENT 1**

<b>Final Requests</b>	<b>APN</b>	<b>Location</b>	<b>General Plan Land Use</b>	<b>Owner Requested Land Use</b>	<b>Acreage</b>	<b>Property Owner Name</b>	<b>Staff Recommendation</b>	<b>GPAC/PC Recommendation</b>
<b>TC 1</b>	437-062-44	East side of Central, north of Standing Rock	R-SF	C-G	2.5 acres	Representative: Shear Realty	The property immediately south was designated C-G at the joint Planning Commission/GPAC workshop. However, this parcel is not on the corner, and it is unlikely additional commercial land can be supported at this location, due to the proximity to SR-18.	The GPAC did not consider this property.  Planning Commission maintained the R-SF designation on the property.
<b>TC 2</b>	0472-292-19, -24, and -60	Non-contiguous lots -- East and west side of Stoddard Wells, north of Johnson Road.  Located in Annexation 2008-001	R-E	Industrial or Commercial (no designation specified)	Lot -19: 23.23 acres Lot -24: 52.36 acres Lot -60: 2.8 acres  Total: 78.39 acres	R.W. Steward	These properties are located in the center of an area proposed for R-E as part of the Golden Triangle. The R-E designation is appropriate.	The GPAC did not consider these properties in particular, but felt that the central core of the Golden Triangle, away from Dale Evans and I-15, should remain low intensity residential.  The Planning Commission did not address this area.

<b>Final Requests</b>	<b>APN</b>	<b>Location</b>	<b>General Plan Land Use</b>	<b>Owner Requested Land Use</b>	<b>Acreage</b>	<b>Property Owner Name</b>	<b>Staff Recommendation</b>	<b>GPAC/PC Recommendation</b>
<b>TC 3</b>	3038-372-06	West side of Quinnault, north of Nisqually	R-M	MHP	4.8 acres	Representative: Joseph E. Bonadiman & Assoc.	The General Plan requires all new MHPs to file a General Plan Amendment and Zone change when the project is processed. In this case, however, granting the GP designation will preclude development of the site until such time as the Development Code standards are developed, which will take about 6 months. Staff would recommend that the designation remain R-M, so that the MHP can be processed with a CUP immediately, and that the Council direct staff to process the GPA and Development Code Amendment concurrently, at no charge to the applicant.	Neither the GPAC nor the Planning Commission considered this property. This is a new request.
<b>TC 4</b>	434-153-05, 434-481-15, 16, 17, 18, 19, 20, 21 and 22	West side of Central between Las Tunas (Sandia) and Lancelet Road	R-E	R-SF	91.71	Star-West Homes	This 1 acre minimum area is a natural transition between more dense residential land uses to the west and the County land use designations to the east, which are a minimum lot size of 2.5 and 1 acre. The R-E designation should be maintained	At the joint GPAC/PC meeting, the GPAC proposed R-SF; the Planning Commission recommended R-E. The R-E designation has been carried forward in the Draft General Plan.

TC 1



April 17, 2009

Town of Apple Valley  
14955 Dale Evans Parkway  
Apple Valley, CA 92307  
Attention: Becky Reynolds

RECEIVED

APR 20 2009

RE: Parcel 0437-062-44

Community Development

Dear Ms. Reynolds:

At the Planning Commission Meeting on April 15, 2009, I represented the owners of the referenced parcel. The owners requested changing the current zoning of the parcel from Residential (R-EQ) to Neighborhood or General Commercial. The change was requested to be included in the General Plan Amendment. The request was denied. I believe that this decision should be reviewed by the Town Council at their next meeting when the General Plan Amendment will be presented to the Council. I would like the opportunity to address the Council and present my reasons for approval to the Council members. I do not believe the decision by the Planning Commission is in the best interests of the Town of Apple Valley or consistent with prior Planning Commission decisions of a like nature. Some of the reasons I would like to present to the Council members are as follows:

1. **NEIGHBORHOOD CENTER** – Currently there is no neighborhood retail center servicing the surrounding residences. The closest commercially zoned property is almost 2 miles away. For those who live in the Sycamore Rocks or Fairview Valley area, the closest center is approximately 5 miles from their home. By creating a neighborhood center, the community will be able to utilize services closer to their home saving time and fuel.

2. **BEST USE** – Central Road is designated as a “Major Divided Parkway”, eventually a 4 lane road. Standing Rock is designated as a “Secondary Road”. In addition, the proposed E-220 has a planned off-ramp at Standing Rock Road, which will increase traffic and possibly increase Standing Rock Road’s designation to a Major Road. Considering the current and future traffic requirements of that area a neighborhood commercial center would benefit the residences surrounding that area and optimize the property’s use.

3. **FLOOD CHANNEL** – Central Road has been identified by the Town of Apple Valley as a one hundred year flood channel. It is my understanding that the Town of Apple Valley may require an easement up to 150 feet across the western border of the property, Central Road. Such a requirement could substantially hinder the reasonable development of the property for residential use. By changing the zoning to commercial, the development of the property could utilize the easement as additional parking and landscape area to reduce the threat of harm and/or loss of residential structures in the event of such a flood.

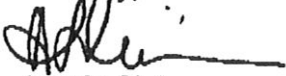
18564 Highway 18, Suite 205 • Apple Valley, CA 92307 • (760) 242-7221 • Fax (760) 242-7226  
RESIDENTIAL • LAND • COMMERCIAL/INDUSTRIAL PROPERTIES

4. **ADJOINING PROPERTY** – The owners of the adjoining property (0437-062-36) requested and received a like zoning change approval from the Planning Commission to be included in the General Plan Amendment. It is noted that the planning department staff did not recommend a change of zoning for this property as it was “too small for commercial development”. Nevertheless, the Planning Commission approved the request.

At the Planning Commission meeting on April 15, 2009, where the request for a zoning change of the referenced property was presented, the planning staff did not recommend a change as they said “it is unlikely additional commercial development can be supported at this location”. On one hand we have a property that is too small for commercial development and a larger parcel(s) would obviously be preferable. On the other hand we have requested an increase in the size of the same commercial area property and the staff says it is unlikely that additional commercial development can be supported. It appears to me that the rationale here is inconsistent. If both of these properties were zoned to Neighborhood or General Commercial, the size of the combined properties would allow for a neighborhood center to include adequate necessary services.

Your cooperation and consideration in this matter would be appreciated. If additional information is required, please contact me at 760-219-9823.

Sincerely,



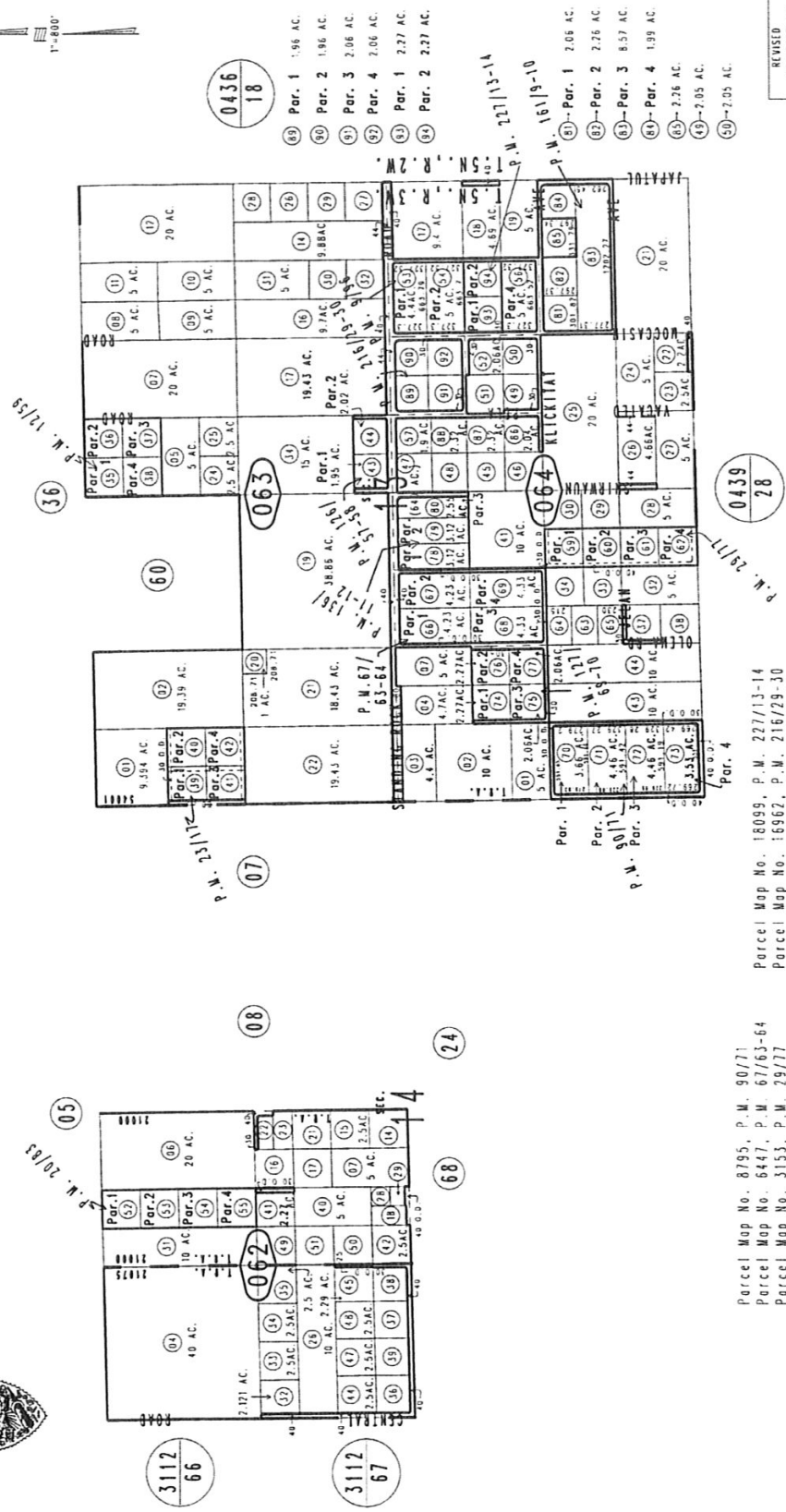
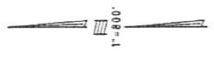
Angelo Cici

CC: Lori Voightlander, Dan Ewings, Stephanie Ewings-Peloquin

Sec.13 & N.W.1/4 Sec.14, T.5N.,R.3W., S.B.B.&M.  
 Town of Apple Valley 0437-06  
 Apple Valley  
 Tax Rate Area  
 21000 21075 54001

0436  
18

THIS MAP IS FOR THE PURPOSE  
 OF AD VALOREM TAXATION ONLY.



REVISIO  
 07/28/07 LH  
 05/02/07 CI  
 05/15/07 LH  
 01/09/08 MM  
 01/28/08 CI

Assessor's Map  
 Book 0437 Page 06  
 San Bernardino County

Parcel Map No. 18099, P.M. 227/13-14  
 Parcel Map No. 18967, P.M. 216/29-30  
 Parcel Map No. 11938, P.M. 161/79-10  
 Parcel Map No. 11882, P.M. 136/11-12  
 Parcel Map No. 10761, P.M. 127/69-70  
 Parcel Map No. 11321, P.M. 126/57-58

Parcel Map No. 8785, P.M. 90/71  
 Parcel Map No. 6447, P.M. 67/63-64  
 Parcel Map No. 3153, P.M. 29/77  
 Parcel Map No. 2506, P.M. 23/17  
 Parcel Map No. 2348, P.M. 20/83  
 Parcel Map No. 1487, P.M. 12/59  
 Parcel Map No. 974, P.M. 9/96

May 2004

TCL

TC 1

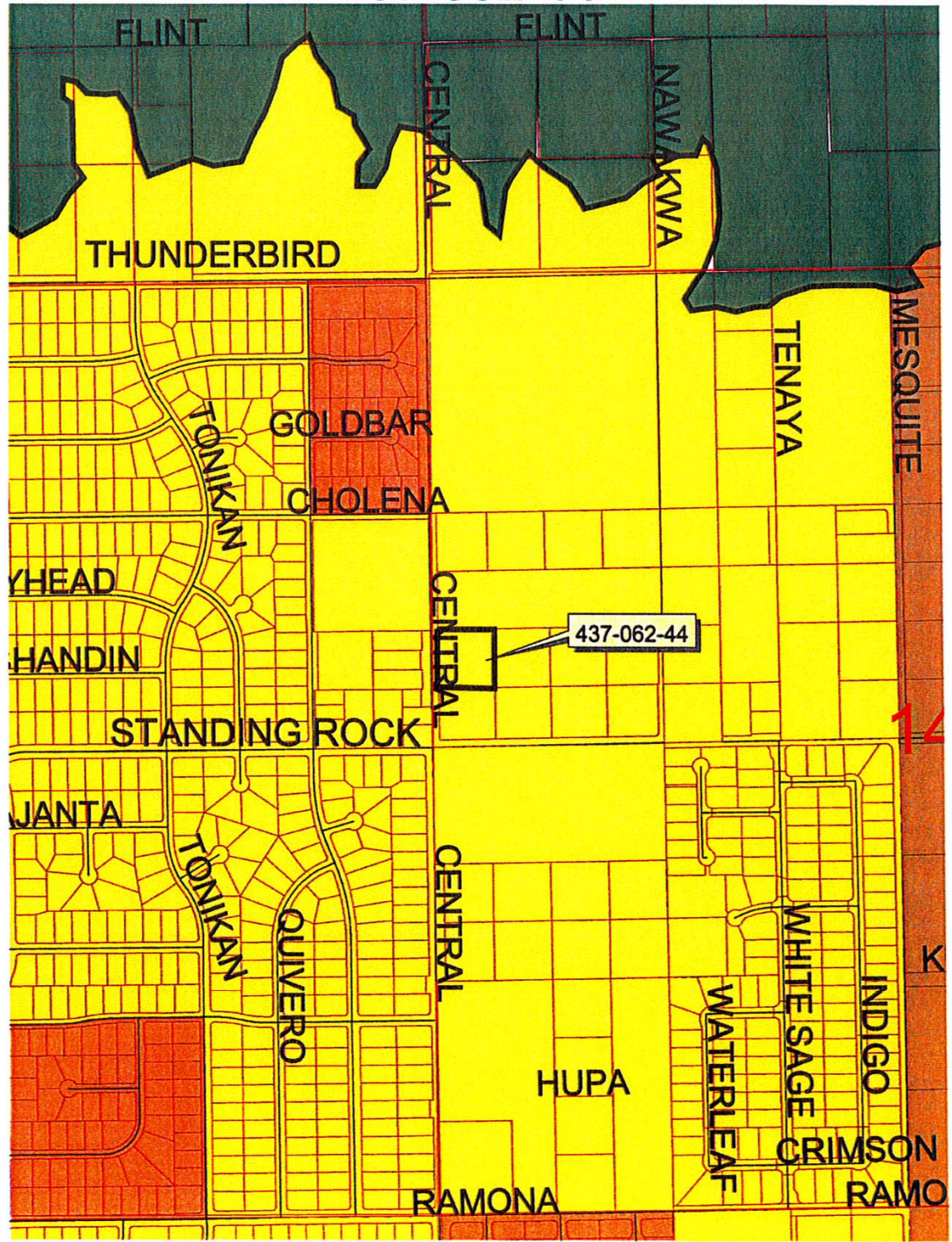




Tc1

# LOCATION MAP

437-062-44



ATT: BECKY REYNOLDS

I'M REQUESTING THAT ARE PARCELS OF LAND BE CONSIDERED IN THE GENERAL PLAN TO BE ZONED INDUSTRIAL OR COMMERCIAL CONSIDERING THE LOCATION OF THESE PARCELS OF LAND WE ARE LOCATED ON QUARRY RD AND STODDARD WELLS RD. PARCELS NUMBER ARE 0472-292-19, 0472-292-24 AN 0472-292-60 WE WOULD LIKE TO HAVE ONE OF THE ZONING FACTOR ADDRESSED IN THE GENERAL PLAN, IT WOULD NOT MAKE ANY LOGICAL REASON TO PUT RESIDENT NEXT TO THE RAILROAD TRACKS PLUS WE HAVE HEAVY TRUCK TRAFFIC IN THE AREA.. IF YOU HAVE ANY QUESTION FEEL FREE TO GIVE ME A CALL. R.W. STEWARD/SUNSET H. 760-961-9492 C 918-360-9594

TCZ

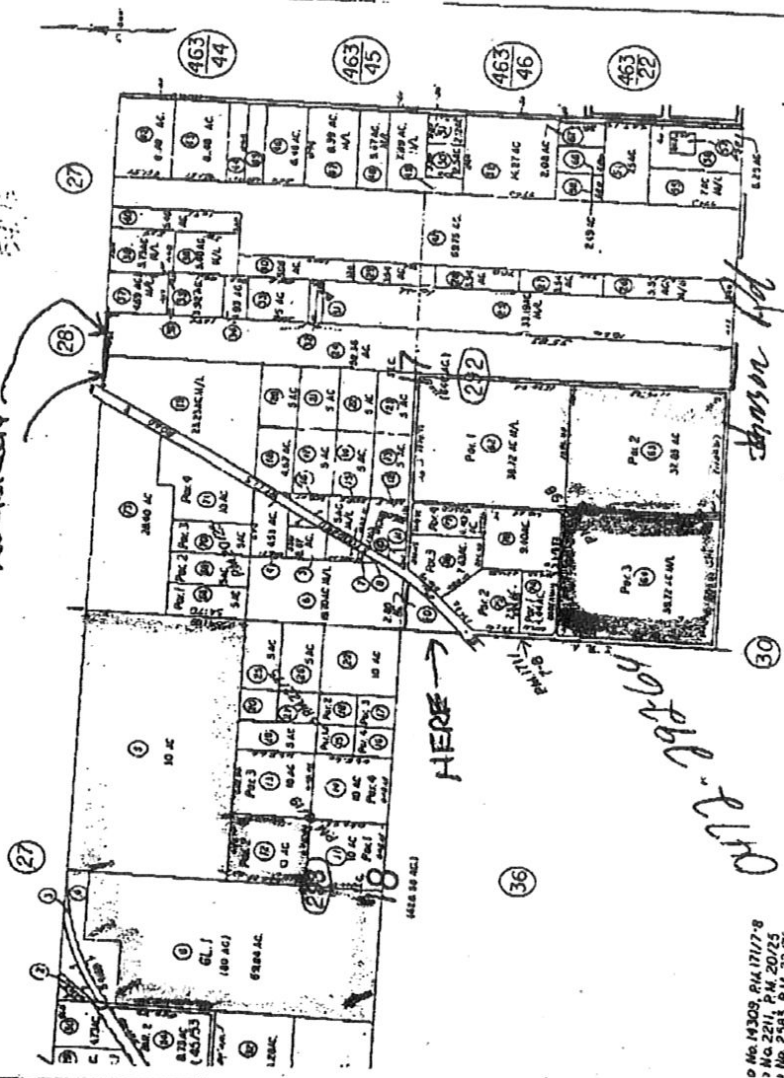
ATT: BECKY REYNOLDS

Sec. 17 & Fractional Sec 18, T6N,R3W, S8B. & M.

Apple Valley  
Tax Rate Area  
54168, 54169  
54170, 54175

STEWART PROPERTY  
LOCATION

472-29



1/1/84	AC
1/1/88	AC
2/20/93	AC
3/20/93	AC
5/20/93	AC

Assessor's Map  
Book 472 Page 29  
San Bernardino County

0 No. 19309, RIA 1717-8  
 1 No. 2211, P.M. 20/25  
 2 No. 2583, P.M. 22/75  
 3 No. 2198, P.M. 19/98  
 4 No. 4265, P.M. 45/43  
 5 No. 2123, P.M. 16/19

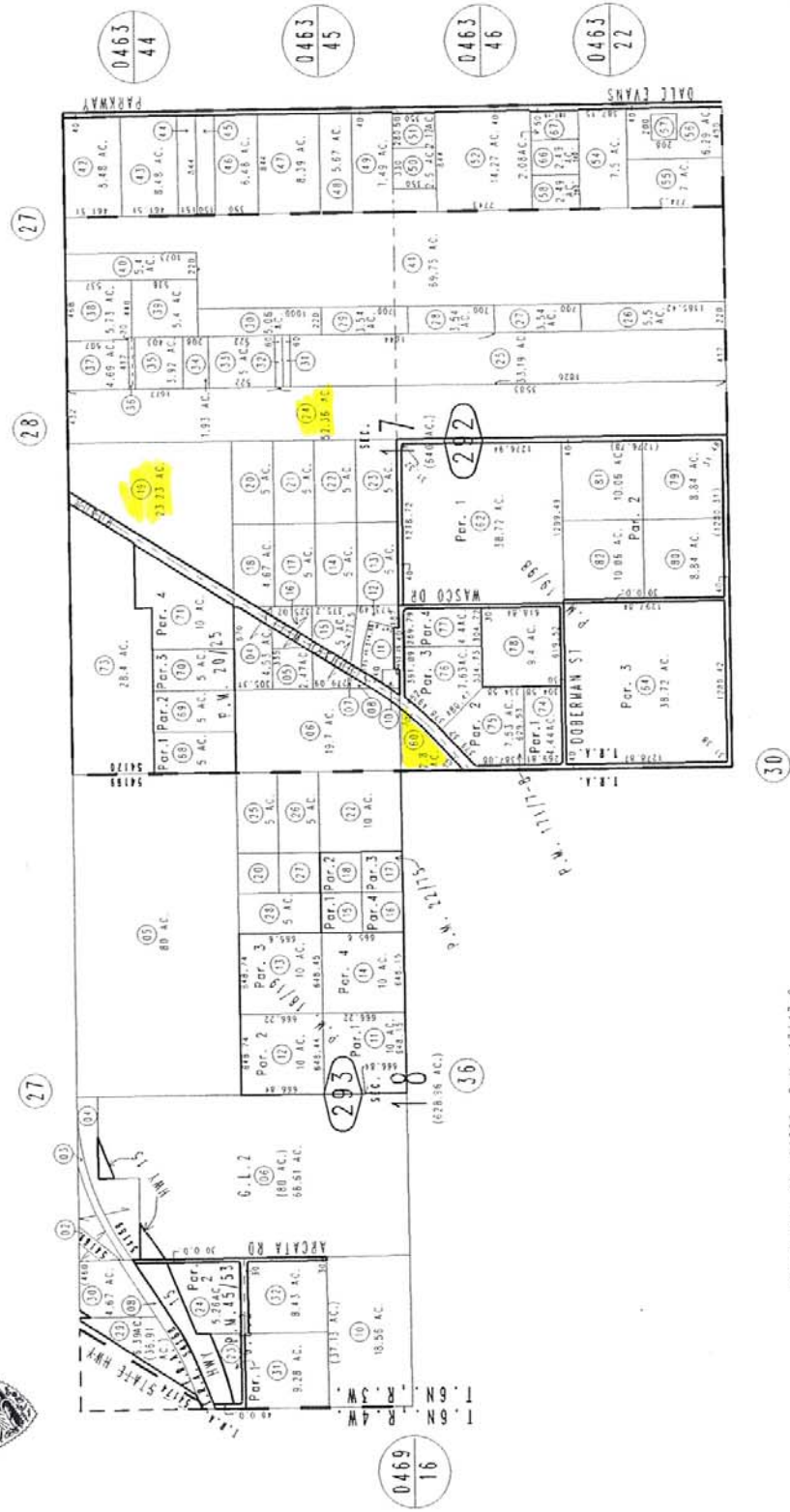
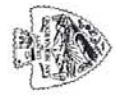
HPT, 14 2003 11:40:17 P2

0472-29

Apple Valley  
Tax Rate Area  
54168, 54169  
54170, 54175

Sec.17 & Fractional Sec.18, T.6N.,R.3W., S.B.B.&M.

THIS MAP IS FOR THE PURPOSE  
OF AD VALOREM TAXATION ONLY.



- Parcel Map No. 14309, P.M. 17117-8
- Parcel Map No. 2211, P.M. 20/25
- Parcel Map No. 2583, P.M. 22/75
- Pln. Parcel Map No. 2198, P.M. 19/98
- Parcel Map No. 4265, P.M. 45/53
- Parcel Map No. 2123, P.M. 18/19

June 2004

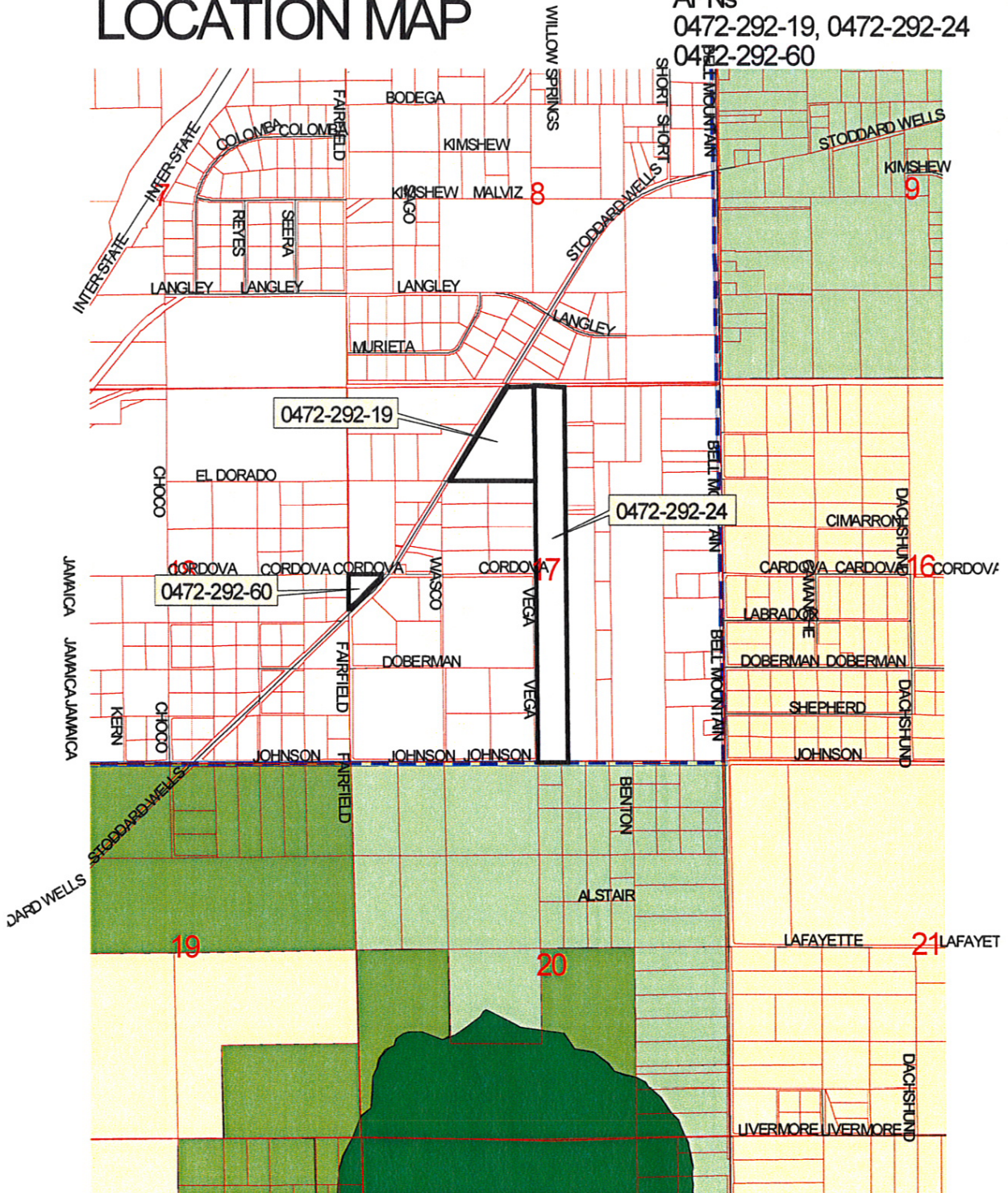
Assessor's Map  
Book 0472 Page 29  
San Bernardino County

REVISED  
06/04/07 AC  
07/14/07 BK  
02/12/08 44  
**TC 2**

TC 2

# LOCATION MAP

APNs  
0472-292-19, 0472-292-24  
0472-292-60



TC 3



JOSEPH E. BONADIMAN & ASSOCIATES, INC.  
CIVIL ENGINEERING G. I. S. LAND SURVEYING

JOSEPH E. BONADIMAN, P.E. 1903-1990  
CHARLES F. BONADIMAN, L.S. 1898-1986

68 Years  
OF PROFESSIONAL SERVICE

RECEIVED

April 8, 2009

APR 13 2009

Town of Apple Valley  
Planning Division  
14955 Dale Evans Parkway  
Apple Valley, CA 92307

Community Development

Attn: Becky Reynolds, Principle Planner  
Re: Request for GPA Amendment Exemption – Apple Valley Estates MHP Project

Dear Ms. Reynolds:

This Request for General Plan Amendment (GPA) Application Exemption is submitted by Joseph E. Bonadiman & Associates, Inc. (JBA) to the Town of Apple Valley (Town) for the Apple Valley Estates Mobile Home Park Project (Project). JBA is submitting this letter pursuant to the recommendation of Planning Division staff.

The Project involves APN 3087-372-06-0000 and is located northwest of the Quinalt Road and Friar Lane intersection, directly north and adjacent to an existing mobile home park. The existing property is currently designated as "R-M" (Medium-Density Residential) in the Town of Apple Valley General Plan. A Conditional Use Permit (CUP) Application is currently being prepared by JBA and will be submitted in the very near future. Refer to the attached CUP Site Plan for details regarding the proposed Project.

Per phone conversation with Planning Division staff on April 8, 2009, General Plan Amendment(s) affecting the area of the Project site is/are forthcoming. As such, JBA requests exemption from being required to prepare a GPA Application in addition to the Project CUP Application under preparation.

Please do not hesitate to call me at (909) 885-3806 x127 if you have any questions regarding this request. I appreciate your expeditious attention to this matter.

Very Truly Yours,

Jesse Nash  
Associate

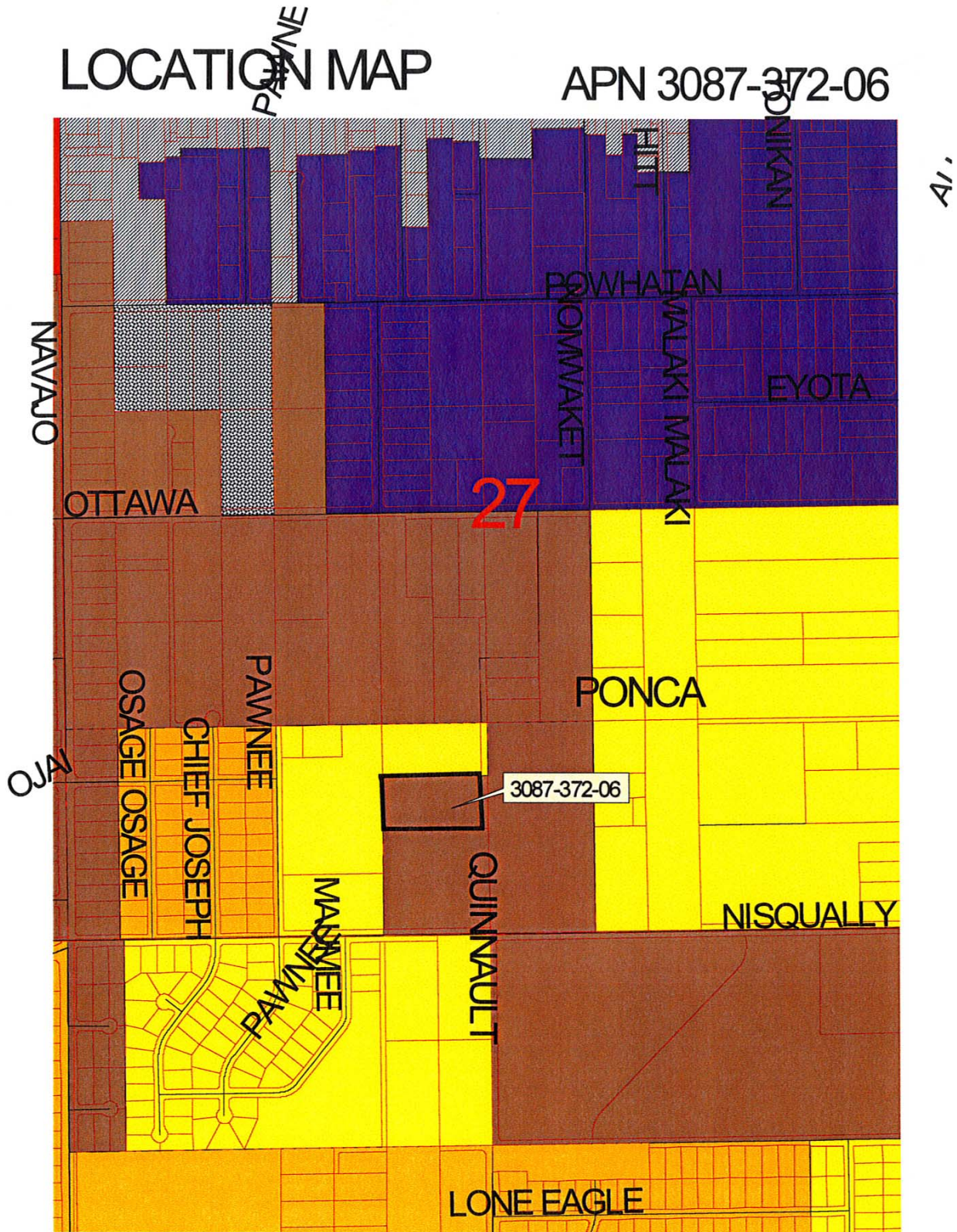
Attachment: CUP Site Plan (Reduced 11x17)

cc: EJB/File



# LOCATION MAP

APN 3087-372-06





TC 4

**Star West Homes**  
13600 Hitt Road, Ste. A  
Apple Valley, CA. 92308  
760-247-3828

**RECEIVED**

APR - 6 2009

**Community Development**

Mr. Ken Henderson  
Director of Community Development  
Town of Apple Valley  
14955 Dale Evans Parkway  
Apple Valley, CA. 92307

RE: APN's 434-481-15 to 22

Dear Mr. Henderson,

This is to request that our properties on Central Road south of Bear Valley Road which were included in the General Plan Amendment and Zone Change 2005-006 be considered by the Planning Commission for single family residential in the General Plan Update. This property consists of 60 acres located south of Sandia Road and west of Central Road. We had a Tentative Tract consisting of 104 residential lots and 3 recreation and retention lots which went through the planning process to the point where it was approved by the Equestrian Committee.

We conducted surveys, topographic mapping, drainage studies, noise studies, biological studies for plants and animals, traffic studies, and worked with the Apple Valley Ranchos to get the land included in their service area. We paid the Town for a sewer feasibility study and will be paying a million dollars or more to extend sewers to the property.

This property was reviewed by the General Plan Advisory Committee (GPAC) and recommended by them for the single family designation. At the special workshops meeting of the planning commission and GPAC the recommendation of the GPAC was overturned by the planning commission. We were not able to attend that meeting and when Mr. Coleman, our engineer, tried to speak to the matter Chairman Hernandez would not allow him to do so.

At the March 4, 2009 Planning Commission meeting Mr. Coleman again presented testimony requesting that the matter be reconsidered by the Planning Commission. He advised my partner Stan Mullins and me that if the Planning Commission were to reconsider our request, they would have to reconsider all such requests and they could be flooded with requests. Mr. Coleman attended the April 1, 2009 meeting and found that additional requests were being considered.

We have built numerous homes in Apple Valley and want to continue being a part of the "Better Way of Life" you offer. We have offices at 13600 Hitt Road and want to put people to work when the economy and lenders permit.

TC 4

We ask that in all fairness to the time and effort we have expended on this project that the Planning Commission recommends a R-SF designation for this property to the Town Council.

*Stanley N. Mullins*  
*Philip A. Keller*

## SIGNIFICANT DATES

General Plan Amendment 2005-006, Zone Change 2005-006, Tentative Tract 17321 and  
Tentative Tract 17322

- November 18, 2004 DAB – HP Chang, planner  
60 acres adjacent to R-SF (Tract 17322) was okay to request GPA/ZC, but  
40 acres (Tract 17321) would be considered spot zoning and planning  
would not support. No mention was made of studies that would be  
required, including preparation of an Environmental Impact Report (EIR).
- December 7, 2004 Altec contacted the owners of the intervening 40 acres and included it in  
the application to eliminate the spot zoning concern.
- June 5, 2005 Traffic study completed.
- July 8, 2005 Applications filed with Planning for GPA, ZC, Tract 17321 (72 lots) and  
Tract 17322 (104 lots), and agreement signed that if deemed incomplete  
the higher fee would be paid. It was assumed by Altec that since the  
project had gone to DAB, no additional items would be required.
- July 18, 2005 GPZ/ZC – Received letter from Phil Block deeming the submittal  
incomplete and requesting 7 additional items, including an additional  
\$15,212.50 filing fee.
- Additional items requested included:
- |                            |          |
|----------------------------|----------|
| Cultural Resources Studies | \$7,500  |
| Biota                      | \$10,000 |
- August 3, 2005 Tract 17321 - Received letter from Lori Lamson deeming the application  
incomplete and requesting 7 additional items of information along with  
additional filing fees of \$4,800 implemented July 10<sup>th</sup>. In this letter a  
statement was made that once the requested items were provided, the  
project could proceed to the Equestrian Committee, Planning Commission,  
and Town Council.
- Additional items requested included:
- |                    |                 |
|--------------------|-----------------|
| Traffic Studies    | \$3,000         |
| Hydrology Study    | \$2,500         |
| Noise Impact       | Tract Condition |
| Air Quality Impact | Not required    |
- August 3, 2005 Tract 17322 - Received letter from Lori Lamson deeming the application  
incomplete and requesting 12 additional items of information along with  
additional filing fees of \$4,800 implemented July 10<sup>th</sup>. In this letter a

statement was made that once the requested items were provided, the project could proceed to the Equestrian Committee, Planning Commission, and Town Council.

Additional items requested included:

Traffic Studies	\$3,000
Hydrology Study	\$2,500
Noise Impact	Tract Condition
Air Quality Impact	Not required

- August 8, 2005 Appeal of additional filing fees filed with a \$200 fee.
- August 8, 2005 Carl Coleman wrote a letter to the mayor and Town Council requesting fee increases not be required for this and other projects Altec had filed on or before July 8, 2005.
- September 16, 2005 Received a letter from Mr. Ken Henderson ignoring all arguments against fee increase and advising an appeal and more fees be paid.
- August –  
October 2005 Submitted to Apple Valley Ranchos Water Company to annex these and numerous other properties into the Water Company boundary for service.
- September 26, 2005 Appeal of the fee increase filed for Council consideration.
- November 8, 2005 Council upheld Mr. Henderson's decision and denied the appeal of the fee waiver.
- November 29, 2005 Tract 17322 – Additional items submitted to Planning staff.
- December 13, 2005 GPA/ZC – Additional items submitted to Planning staff, including a will serve letter from Apple Valley Ranchos Water Company, an 8 ½ x 11 site plan, and hydrology and traffic impact reports.
- December 13, 2005 Tract 17321 – Additional items were submitted to Planning staff.
- January 3, 2006 GPZ/ZC, Tract 17321 & 17322 – The biological report for all projects were submitted to Planning staff, along with additional fees totaling \$20,012.50.
- February 1, 2006 GPA/ZC – Received letter from Phil Block DEEMING THE APPLICATION COMPLETE, and providing information on the new Measure N. Mr. Block indicated that if the outcome of the measure was positive, he anticipated the request would be “before the Planning Commission in July.”

- February 1, 2006 Tract 17321 – Received letter from Phil Block indicating an additional item needed to be resolved. However, the item was to be sent to the Commission for a decision. The project would be conditioned to comply with the Noise Element and no Air Quality Report would be required. Since this was the only outstanding item, the application would be DEEMED COMPLETED. Mr. Block also provided information on the new Measure N, and indicated that if the outcome of the measure was positive, he anticipated the request would be “before the Planning Commission in July.”
- February 1, 2006 Tract 17322 – Received letter from Phil Block requesting additional items and providing information on the new Measure N. Mr. Block indicated that if the outcome of the measure was positive, he anticipated the request would be “before the Planning Commission in July.” The project would be conditioned to comply with the Noise Element and no Air Quality Report would be required. Identified that is one of the items was resolved, the application would be DEEMED COMPLETE.
- February 9, 2006 Tract 17322 – All requested items from August 3, 2005 and February 1, 2006 letters were submitted to Planning staff.
- June 6, 2006 Voters approved the new Measure N.
- September 1, 2006 Phil Block and Ginger Becker had a telephone conversation on all projects. He scheduled a meeting with Mr. Coleman and Mr. Pederson to discuss the traffic study, the drainage study, Lots A – F, and air quality thresholds. Mr. Block also indicated the tracts would be submitted to the Equestrian Committee at its September 27<sup>th</sup> meeting.
- September 12, 2006 Sewer Feasibility Study requested and \$1,579 fee paid.
- October 11, 2006 The Equestrian Committee reviewed TT 17321 and approved it unanimously.
- March 21, 2007 Tract 17322 – A revised map and traffic study update were submitted to Planning staff. Revisions were made at the request of Phil Block.
- Scheduled for Planning Commission at its May 16, 2007 meeting by Planning staff.
- April 27, 2007 Altec Engineering requested that the applications for TT 17322 be tabled to the next GPA cycle to allow both partners in the project to be present.
- Letter sent to Phil Block requesting continuance to the September 19, 2007 Planning Commission hearing.

- May 15, 2007 GPA/ZC - Received a copy of the Initial Study being prepared which indicated an EIR would be required. THIS WAS THE FIRST MENTION OF AN EIR.
- May 16, 2007 Phil Block indicated that the Initial Studies for Tract 17321 and 17322 were not completed because we had requested they be tabled, along with the GPA/ZC. However, the environmental analysis for the project is incomplete by staff and their request for an EIR is not based on all information provided for every aspect of the project. Therefore, any EIR prepared at this point would be deemed inadequate for the tracts.
- May 16, 2007 Planning Commission tabled the projects until the next General Plan cycle.
- May 25, 2007 Will serve letter received from Apple Valley Ranchos Water Company.
- September 27, 2007 Phil Block indicated the projects would be abandoned if a response was not received on whether the projects were proceeding to Planning Commission or the applicant was going to participate in the General Plan Update process.

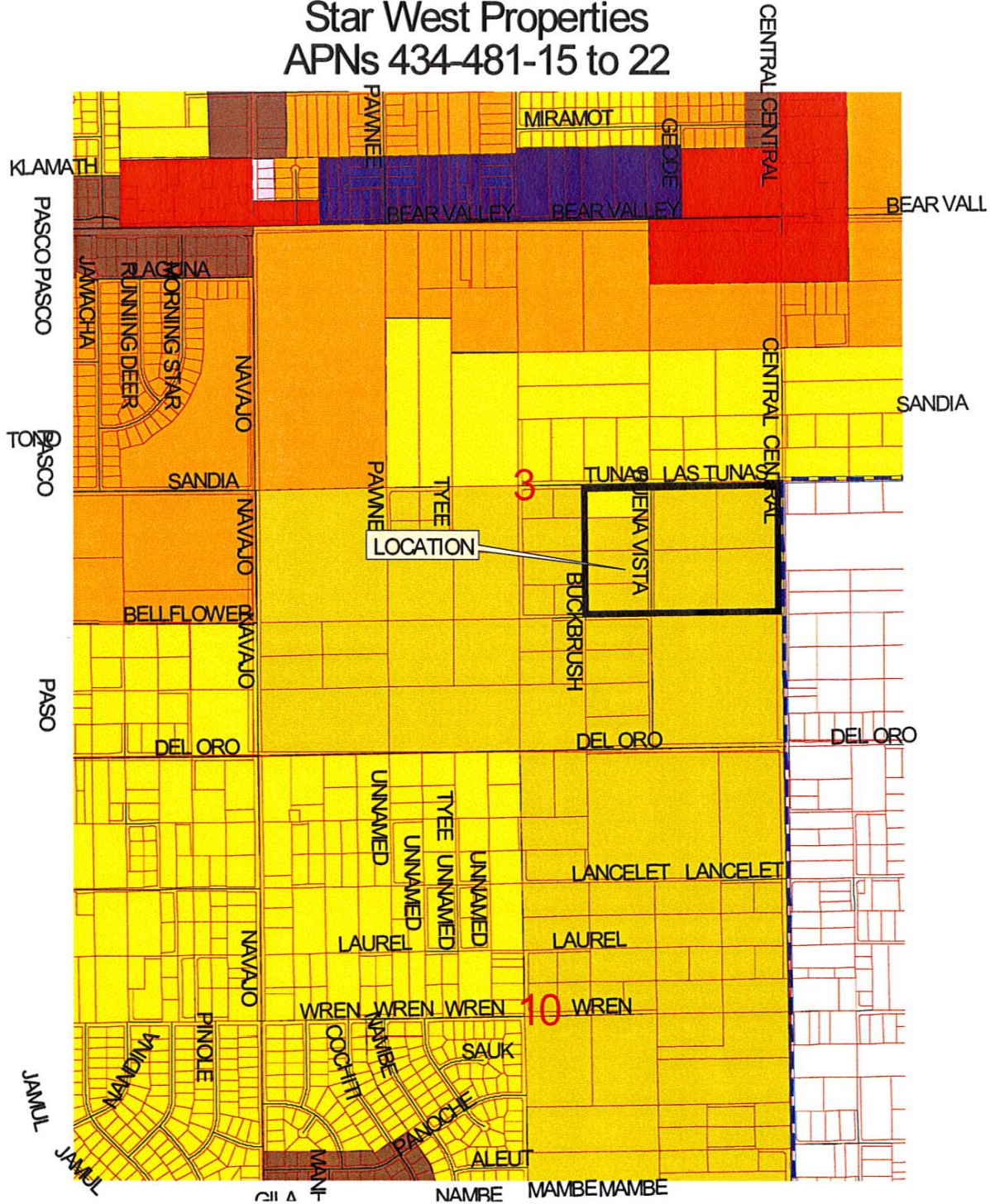
The applicant decided that since an EIR would cost upwards of \$100,000 and take a year or more to complete, they would participate in the General Plan Update. The General Plan Advisory Committee recommended the properties be changed to R-EQ as requested. The Planning Commission chairman, while considering the GPAC recommendations, picked out the parcel for the Planning Commission to go against the GPAC recommendations and called for a vote of the Planning Commission without allowing any public input.



# LOCATION MAP

## Star West Properties

### APNs 434-481-15 to 22





**Altec Engineering, Inc.**  
17995 U.S. Highway 18, Suite 4  
Apple Valley, CA 92307

(760) 242-9900  
Fax (760) 242-9918  
[AltecEng@aol.com](mailto:AltecEng@aol.com)

---

**RECEIVED**

MAR 16 2009

**Community Development**

**General Plan Analysis**

By

Carl P. Coleman, P.E.  
Former Council Member  
Town of Apple Valley

Presented to:

Town Council  
Town of Apple Valley

March 10, 2009

## Forward

Mayor Rollee and Council Members,

I believe I have a unique insight in several areas that I would like to share with you. My nine years as General Manager of the Mojave Water Agency and thirty-six years as a civil engineer in Apple Valley working on hundreds of projects gives me a depth of knowledge that I hope you will utilize in your review of the 2009 General Plan for Apple Valley.

For any area to develop it must have the ability to put in place all of the elements of infrastructure required for a safe and healthy living environment. They include a safe and adequate water supply for both domestic use and fire protection, the ability to dispose of domestic sewage, electric service, telephone service, paved access for emergency vehicles, protection from flooding, access to other public services and proper zoning.

Many areas of our town do not have these things. I believe all areas should have the opportunity to develop in accordance with reasonable guidelines provided by Town policy established by the Council.

I have attended numerous meetings and studied the General Plan and the Environmental Impact Report. I have outlined on the Preferred Alternative Map prepared by Terra Nova nine areas of the Town in which I believe I can offer some information for your consideration.

**Altec Engineering, Inc.**

17995 U.S. Highway 18, Suite 4  
Apple Valley, CA 92307

(760) 242-9900  
Fax (760) 242-9918  
[AltecEng@aol.com](mailto:AltecEng@aol.com)

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Area ① consists of approximately 1350 acres of land which has only 16 homes built on dirt roads and limited infrastructure. Parcel sizes in this area are as follows:

- 1 – 160 acre
- 2 – 40 acre
- 1 – 20 acre
- 35 – 10 acre
- 7 – 7 acre
- 58 – 5 acre
- 13 – 4 acre
- 122 – 2.5 acre
- 8 - <2.5 acre

The proposed General Plan designations for this area are R-LD and R-VLD. It is my opinion that these properties cannot possibly develop in any reasonable manner with these designations. My experience in this area is that bedrock is very near the surface making wells and sewage disposal difficult on individual parcels.

I would recommend that this area be designated R-SF or R-EQ which will allow enough density to support paved roads, drainage, sewers, water and other utilities and services.

Area ② consists of approximately 1430 acres of land which has only 15 homes built on dirt roads and limited infrastructure. Parcel sizes in this area are as follows:

- 1 – 154 acre
- 8 – 40 acre
- 1 – 28 acre
- 1 – 23 acre
- 7 – 20 acre
- 40 – 10 acre
- 4 – 8 acre
- 42 – 5 acre
- 13 – 4 acre
- 61 – 2.5 acre
- 6 - <2.5 acre

The proposed General Plan designations for this area are R-E which will support approximately 1430 new homes when fully developed. Roads, drainage, sewers, water and other utilities and services will be very difficult to provide due to the near surface bedrock. An R-SF designation would greatly improve the potential development of this area.

Area ③ consists of approximately 150 acres of land which has no homes built on it at this time. It is bounded on the north by Regional Commercial, on the south by R-SF and on the east and west O-S. Again there is very little soil over the bedrock and all water, sewer, drainage, power and

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roads will be difficult to accomplish in this area. I think this area would be better suited to an R-M designation.

Area④ consists of approximately 160 acres of land which has only 12 homes built along Central and Waalew Roads on 1 to 10 acre parcels. Parcel sizes in this area are as follows:

- 4 – 10 acre
- 6 – 5 acre
- 4 – 4 acre
- 18 – 2.5 acre
- 26 - <2.5 acre

The proposed General Plan designation for this area is R-E. The property is bounded on the north and west by Airport Industrial, on the south by R-SF and Commercial and on the east by Central Road. There is major drainage that crosses this area that will have to be handled for development to take place. The High Desert Corridor crosses the valley at the southwest corner of this property.

This area does have access to water, future sewer, other utilities, jobs from the industrial specific plan and good access roads. This area could be the first to provide housing and commercial services to the airport industrial with a Mixed Use designation. I would recommend a mixed use designation for this area.

Area⑤ consists of approximately 80 acres of land which has 47 single family homes built on 1 to 5 acre parcels. This is a unique area surrounded by Rancho subdivisions and commercial lots along Highway 18. It was subdivided by deed and parcel maps when paved roads and drainage easements were not required. Many homes are located on dirt roads and are subject to sever flooding problems. These improvements could be achieved by changing the General Plan designation to match the surrounding subdivisions and require a fair share payment for roads and drainage when future development takes place.

Area⑥ consists of approximately 265 acres of land which was previously planted in alfalfa and is definitely in the path of development. It will be easy to obtain the necessary infrastructure for this land if it is properly General Planned and zoned. The proposed General Plan designation is R-E and makes little sense when it is surrounded with R-SF on the north and east and a school and OP on the west and CR on the south. This property should have a General Plan designation of R-SF to match surrounding development and provide customers for the adjacent businesses.

Area⑦ consists of approximately 900 acres of land, 133 parcels and 110 homes. This property slopes to the west and has some great views. It is surrounded by the Jess Ranch Specific Plan to the west, R-SF on the east, commercial and mixed use along Bear Valley Road and Tussing Ranch Road planned for a major arterial and county land on the south. The proposed General Plan designation is R-LD.

Let's take a look at the R-LD designation. It allows single family homes on 2.5 to 5 acres. Permitted uses are agricultural and ranching activities, animal keeping (both personal and commercial) and home occupations.

What does commercial animal keeping consist of? It can consist of the following:

1. Turkey ranch (noise, dust and smells)
2. Chicken ranch (noise and smell)
3. Cattle feeding (pollution, flies, birds and smell)
4. Horse ranch (auctions, smell, pollution, flies, etc.)
5. Pig farm (smell, pollution, flies, etc.)

I believe that the R-LD designation is a step backward with no potential for anything but creating havoc in the future. Imagine what will happen when the Town Council is faced with approving a commercial animal keeping operation next to the wall surrounding Jess Ranch with hundreds of senior citizens mad as heck at what is happening to them. This is an area where the Estate Residential designation (R-E) could truly protect the present homeowners and lessen the prospect for future conflicts.

Area ⑧ consists of approximately 880 acres of land with 80 single family homes built on dirt roads except for Central Road, Navajo Road, Tussing Ranch Road and portion of Wren Street and Quinnault Road. Central Road and Tussing Ranch Road are major arterials where future access from driveways will be limited.

Parcel sizes in this area are as follows:

- 4 – 40 acre
- 3 – 20 acre
- 6 – 15 acre
- 13 – 10 acre
- 42 – 5 acre
- 3 – 3.5 acre
- 50 – 2.5 acre
- 61 - <2.5 acre

The proposed General Plan designation for this area is R-E. The area is bounded on the north by R-SF and Apple Valley High School, on the west by R-SF, on the south by the railroad to Mitsubishi Cement and on the east by county lands. I have done a lot of work in this area over the years and R-E designation does not allow for a project that will pay development costs and allow for a profit to the developer. If this area is to have a chance for development it must be designated R-EQ or R-SF.

I have prepared a General Plan Amendment and Zone Change application and tentative tracts for 100 acres in this area where Star West Homes (a company that has offices on Hitt Road and has built and sold numerous fine homes in Apple Valley) wishes to ready it's property for development when the economy improves. Attached is a timeline for work that has been done

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on these properties. If nothing else I would like you to include these properties in the General Plan update so we can proceed with the Tentative Tracts 16921 and 16922.

Area 9 is along Rancherias Road near the country club. The open space designation on Bass Hill extends into the cove area and across three building lots on Rancherias. This infringement on owner's rights should be eliminated.

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Civil Engineering  
Land Surveying & GPS  
Land Planning & GIS

Biological, Native Plant & Phase I Assessments  
Valuations & Marketing Studies  
©

Real Estate Services  
Feasibility Analysis  
Construction Management & Inspection.

## SIGNIFICANT DATES

### General Plan Amendment 2005-006, Zone Change 2005-006, Tentative Tract 17321 and Tentative Tract 17322

- November 18, 2004 DAB – HP Chang, planner  
60 acres adjacent to R-SF (Tract 17322) was okay to request GPA/ZC, but 40 acres (Tract 17321) would be considered spot zoning and planning would not support. No mention was made of studies that would be required, including preparation of an Environmental Impact Report (EIR).
- December 7, 2004 Altec contacted the owners of the intervening 40 acres and included it in the application to eliminate the spot zoning concern.
- June 5, 2005 Traffic study completed.
- July 8, 2005 Applications filed with Planning for GPA, ZC, Tract 17321 (72 lots) and Tract 17322 (104 lots), and agreement signed that if deemed incomplete the higher fee would be paid. It was assumed by Altec that since the project had gone to DAB, no additional items would be required.
- July 18, 2005 GPZ/ZC – Received letter from Phil Block deeming the submittal incomplete and requesting 7 additional items, including an additional \$15,212.50 filing fee.
- Additional items requested included:
- |                            |          |
|----------------------------|----------|
| Cultural Resources Studies | \$7,500  |
| Biota                      | \$10,000 |
- August 3, 2005 Tract 17321 - Received letter from Lori Lamson deeming the application incomplete and requesting 7 additional items of information along with additional filing fees of \$4,800 implemented July 10<sup>th</sup>. In this letter a statement was made that once the requested items were provided, the project could proceed to the Equestrian Committee, Planning Commission, and Town Council.
- Additional items requested included:
- |                    |                 |
|--------------------|-----------------|
| Traffic Studies    | \$3,000         |
| Hydrology Study    | \$2,500         |
| Noise Impact       | Tract Condition |
| Air Quality Impact | Not required    |
- August 3, 2005 Tract 17322 - Received letter from Lori Lamson deeming the application incomplete and requesting 12 additional items of information along with additional filing fees of \$4,800 implemented July 10<sup>th</sup>. In this letter a

statement was made that once the requested items were provided, the project could proceed to the Equestrian Committee, Planning Commission, and Town Council.

Additional items requested included:

Traffic Studies	\$3,000
Hydrology Study	\$2,500
Noise Impact	Tract Condition
Air Quality Impact	Not required

- August 8, 2005 Appeal of additional filing fees filed with a \$200 fee.
- August 8, 2005 Carl Coleman wrote a letter to the mayor and Town Council requesting fee increases not be required for this and other projects Altec had filed on or before July 8, 2005.
- September 16, 2005 Received a letter from Mr. Ken Henderson ignoring all arguments against fee increase and advising an appeal and more fees be paid.
- August –  
October 2005 Submitted to Apple Valley Ranchos Water Company to annex these and numerous other properties into the Water Company boundary for service.
- September 26, 2005 Appeal of the fee increase filed for Council consideration.
- November 8, 2005 Council upheld Mr. Henderson’s decision and denied the appeal of the fee waiver.
- November 29, 2005 Tract 17322 – Additional items submitted to Planning staff.
- December 13, 2005 GPA/ZC –Additional items submitted to Planning staff, including a will serve letter from Apple Valley Ranchos Water Company, an 8 ½ x 11 site plan, and hydrology and traffic impact reports.
- December 13, 2005 Tract 17321 –Additional items were submitted to Planning staff.
- January 3, 2006 GPZ/ZC, Tract 17321 & 17322 – The biological report for all projects were submitted to Planning staff, along with additional fees totaling \$20,012.50.
- February 1, 2006 GPA/ZC – Received letter from Phil Block DEEMING THE APPLICATION COMPLETE, and providing information on the new Measure N. Mr. Block indicated that if the outcome of the measure was positive, he anticipated the request would be “before the Planning Commission in July.”



- February 1, 2006 Tract 17321 – Received letter from Phil Block indicating an additional item needed to be resolved. However, the item was to be sent to the Commission for a decision. The project would be conditioned to comply with the Noise Element and no Air Quality Report would be required. Since this was the only outstanding item, the application would be DEEMED COMPLETED. Mr. Block also provided information on the new Measure N, and indicated that if the outcome of the measure was positive, he anticipated the request would be “before the Planning Commission in July.”
- February 1, 2006 Tract 17322 – Received letter from Phil Block requesting additional items and providing information on the new Measure N. Mr. Block indicated that if the outcome of the measure was positive, he anticipated the request would be “before the Planning Commission in July.” The project would be conditioned to comply with the Noise Element and no Air Quality Report would be required. Identified that is one of the items was resolved, the application would be DEEMED COMPLETE.
- February 9, 2006 Tract 17322 – All requested items from August 3, 2005 and February 1, 2006 letters were submitted to Planning staff.
- June 6, 2006 Voters approved the new Measure N.
- September 1, 2006 Phil Block and Ginger Becker had a telephone conversation on all projects. He scheduled a meeting with Mr. Coleman and Mr. Pederson to discuss the traffic study, the drainage study, Lots A – F, and air quality thresholds. Mr. Block also indicated the tracts would be submitted to the Equestrian Committee at its September 27<sup>th</sup> meeting.
- September 12, 2006 Sewer Feasibility Study requested and \$1,579 fee paid.
- October 11, 2006 The Equestrian Committee reviewed TT 17321 and approved it unanimously.
- March 21, 2007 Tract 17322 – A revised map and traffic study update were submitted to Planning staff. Revisions were made at the request of Phil Block.
- Scheduled for Planning Commission at its May 16, 2007 meeting by Planning staff.
- April 27, 2007 Altec Engineering requested that the applications for TT 17322 be tabled to the next GPA cycle to allow both partners in the project to be present.
- Letter sent to Phil Block requesting continuance to the September 19, 2007 Planning Commission hearing.

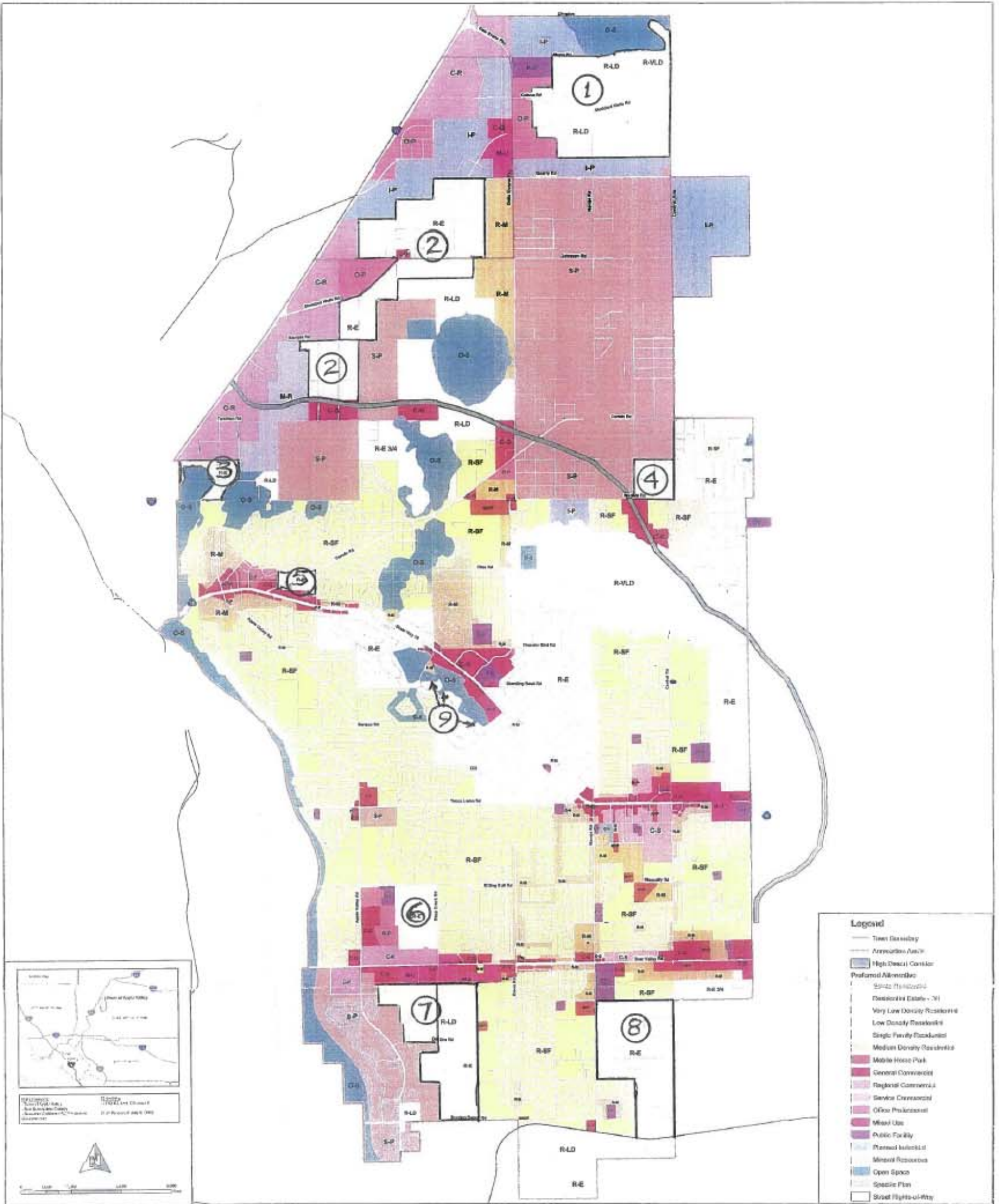
- May 15, 2007 GPA/ZC - Received a copy of the Initial Study being prepared which indicated an EIR would be required. THIS WAS THE FIRST MENTION OF AN EIR.
- May 16, 2007 Phil Block indicated that the Initial Studies for Tract 17321 and 17322 were not completed because we had requested they be tabled, along with the GPA/ZC. However, the environmental analysis for the project is incomplete by staff and their request for an EIR is not based on all information provided for every aspect of the project. Therefore, any EIR prepared at this point would be deemed inadequate for the tracts.
- May 16, 2007 Planning Commission tabled the projects until the next General Plan cycle.
- May 25, 2007 Will serve letter received from Apple Valley Ranchos Water Company.
- September 27, 2007 Phil Block indicated the projects would be abandoned if a response was not received on whether the projects were proceeding to Planning Commission or the applicant was going to participate in the General Plan Update process.

The applicant decided that since an EIR would cost upwards of \$100,000 and take a year or more to complete, they would participate in the General Plan Update. The General Plan Advisory Committee recommended the properties be changed to R-EQ as requested. The Planning Commission chairman, while considering the GPAC recommendations, picked out the parcel for the Planning Commission to go against the GPAC recommendations and called for a vote of the Planning Commission without allowing any public input.

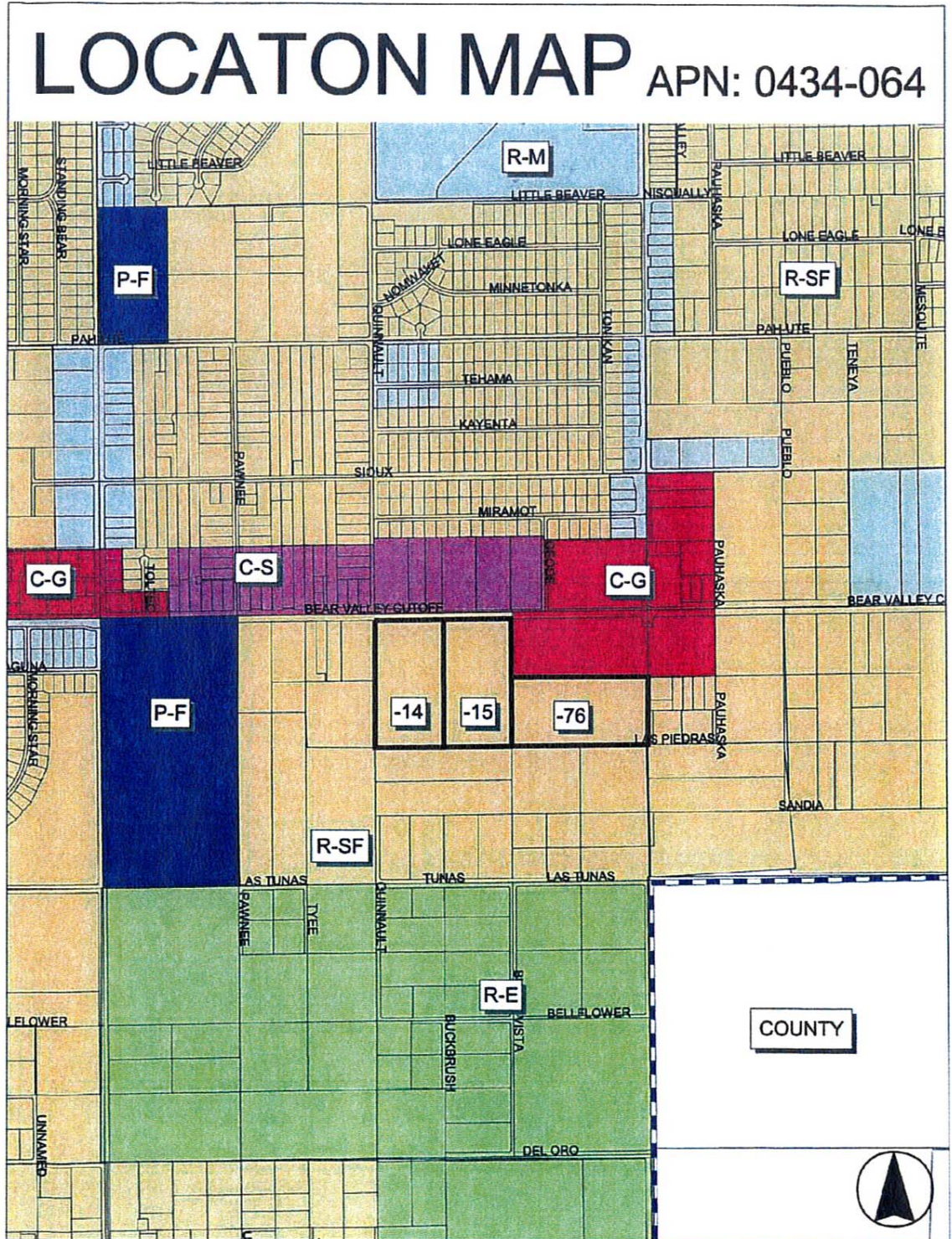
# Town of Apple Valley



Preferred Alternative



General Plan Update (General Plan Amendment No. 2008-001),  
Annexation Nos. 2008-001 and 2008-002  
March 18, 2009 Planning Commission Meeting

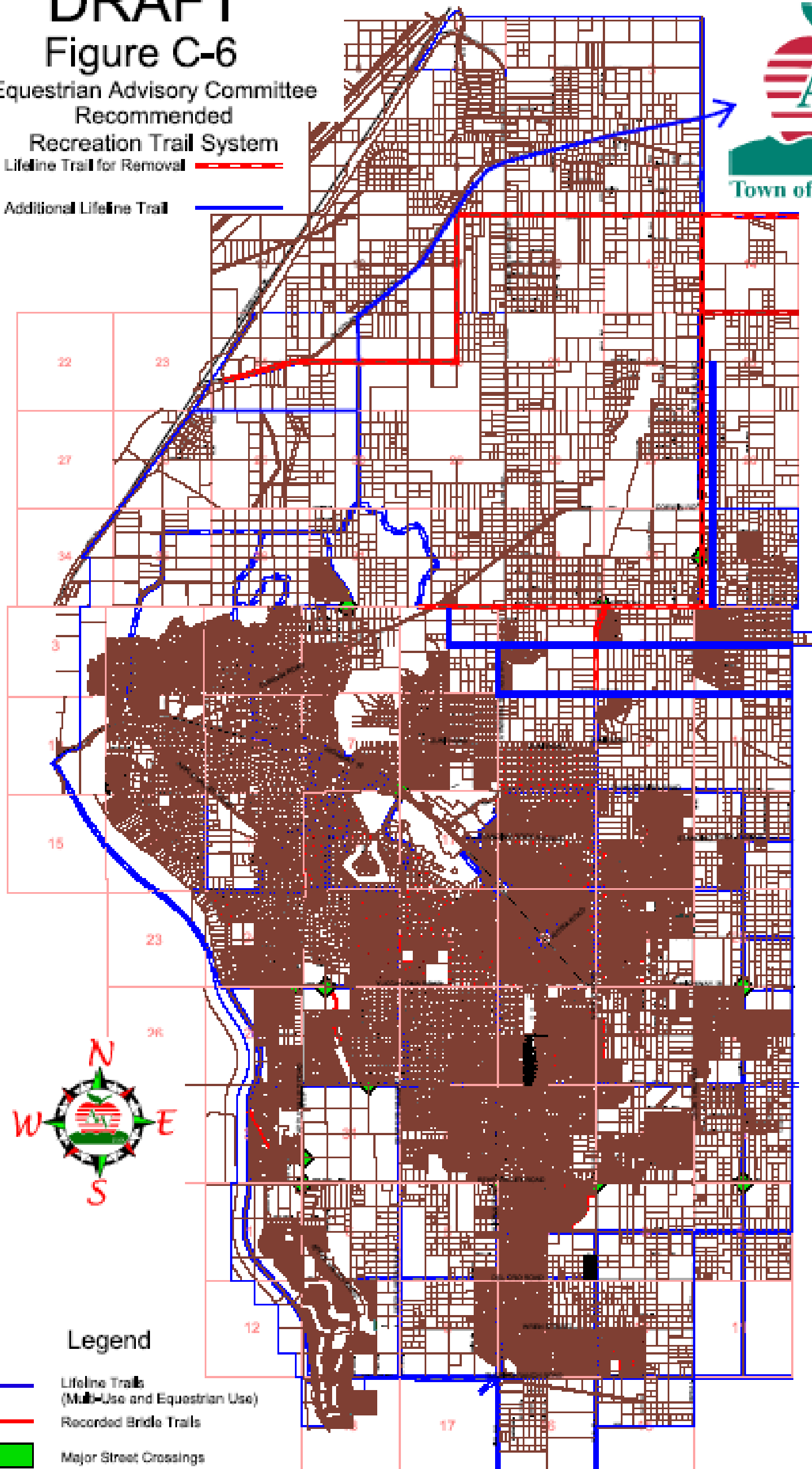


# DRAFT Figure C-6

Equestrian Advisory Committee  
Recommended  
Recreation Trail System

Lifeline Trail for Removal 

Additional Lifeline Trail 



### Legend

-  Lifeline Trails (Multi-Use and Equestrian Use)
-  Recorded Bridle Trails
-  Major Street Crossings