

**T OWN OF
APPLE VALLEY, CALIFORNIA
AGENDA MATTER**

Subject Item:

GENERAL PLAN AMENDMENT NO. 2011-001: A REQUEST TO CONSIDER A CHANGE TO THE GENERAL PLAN LAND USE DESIGNATION FROM PLANNED INDUSTRIAL (I-P) TO SPECIFIC PLAN (SP) FOR THE AMENDMENT AREA.

ZONE CHANGE NO. 2011-001: A REQUEST TO CONSIDER A CHANGE TO THE ZONING DESIGNATION FROM PLANNED INDUSTRIAL (I-P) TO SPECIFIC PLAN (SP) FOR THE AMENDMENT AREA. SPECIFIC PLAN 2005-001 AMENDMENT NO. 5, AMENDS EXHIBIT II-2 (LAND USE MAP) TO INDICATE INDUSTRIAL - SPECIFIC PLAN (I-SP) FOR THE AMENDMENT AREA.

SPECIFIC PLAN NO. 2005-001 AMENDMENT NO. 5: A REQUEST TO CONSIDER AN AMENDMENT TO THE NORTH APPLE VALLEY INDUSTRIAL SPECIFIC PLAN (NAVISP) TO ADD 1,120 ACRES TO THE INDUSTRIAL SPECIFIC PLAN AREA BETWEEN QUARRY AND LANGLEY ROADS AND THE NORTHEAST AREA (ANNEXATION NO. 2008-002); AMEND SPECIFIC TEXT TO REFLECT CORRECTED LAND USE ACREAGE, SQUARE FOOTAGE CALCULATIONS, EXHIBITS TO REFLECT THE NEW SPECIFIC PLAN BOUNDARY AND AMEND EXHIBIT II-2 (LAND USE MAP) TO REFLECT INDUSTRIAL - SPECIFIC PLAN (I-SP) FOR THE AMENDMENT AREA.

Recommended Action:

Move to open public hearing and take testimony.

Close the public hearing. Then:

1. **Determine**, in conformance with the requirements of the California Environmental Quality Act (CEQA), and the State Guidelines to Implement CEQA, the Town Council finds the existing conditions, impacts and mitigation measures for all the CEQA issue areas, categorically, relating to the land being considered in this Specific Plan Amendment were studied in the General Plan Environmental Impact Report (EIR), under the discussion labeled "Annexation No. 2008-002". Furthermore, the land use designation proposed in the General Plan Land Use Map is consistent with the land use proposed in the Specific Plan Amendment. Conditions in the Specific Plan Amendment area have not changed since the preparation and certification of the General Plan EIR. Therefore, the conclusions of that document are applicable to the proposed Specific Plan Amendment, and no further environmental analysis under CEQA is required.
2. **Find** the facts presented within the staff report, including the attached Planning Commission staff report for September 7, 2011, support the required Findings for approval of the proposed Specific Plan and Zoning Map amendment and adopt the Findings.
3. **Adopt** Town Council Resolution No. 2012-02, approving General Plan Amendment No. 2011-001;
4. **Move** to waive the reading of Ordinance No.427 and Ordinance No.428 in their entirety and read by title only.
5. **Introduce** Ordinance No. 427, approving Specific Plan No. 2005-001 Amendment No. 5, the North Apple Valley Industrial Specific Plan; and
6. **Introduce** Ordinance No. 428, approving Zone Change No. 2011-001.
7. **Direct** staff to file a Notice of Exemption with the San Bernardino County Clerk of the Board of Supervisors.

Proposed by: Planning Division

Item Number _____

Town Manager Approval: _____

Budget Item Yes No N/A

Council Meeting Date: 1/10/12

Summary Statement:

At the September 7, 2011 Planning Commission meeting, the Commission reviewed General Plan Amendment No. 2011-001, Zone Change No. 2011-001 and Specific Plan No. 2005-001 Amendment No. 5, and unanimously recommended approval to the Town Council.

Background and Introduction

In 2006, the Town of Apple Valley prepared and approved the North Apple Valley Industrial Specific Plan. At that time, an Environmental Impact Report (SCH #2006031112) was also certified. The Specific Plan currently encompasses 5,100 acres of land, bounded by Quarry Road on the north, Waalew Road on the south, Dale Evans Parkway on the west, and Central Road on the east.

In June 2011, Annexation No. 2008-002 was finalized and the approximately 1,120 acres of land located in the northeast area of Apple Valley was officially incorporated into the Town boundary.

The goal of the Specific Plan is to facilitate the development by land owners and developers of a broad range of industrial and commercial land uses. The ultimate goal of the Specific Plan is to establish a “jobs preserve” and build a broad, sustainable economic base to strengthen the Town’s economic future. The Specific Plan provides new land use designations and development standards and guidelines which will allow the proposed Amendment. The Specific Plan is intended to be a long-term document, with development anticipated over a twenty (20)-year period.

Specific Plan

The North Apple Valley Industrial Specific Plan, Amendment No.5 consists of the following:

1. The addition of a total of 1,120 acres of land located on the north side of Quarry Road and the northeast corner of the Specific Plan area that was annexed into the Town in 2011 (Annexation No. 2008-002).
2. The amendment of Specific Plan text to reflect the corrected land use acreage and square footage calculations with the addition of these lands.
3. Revision of the Exhibits within the document to reflect the revised Specific Plan boundary.
4. Revision to Exhibit II-2 to reflect a zoning designation of Industrial-Specific Plan (I-SP) for the Amendment area.

No other changes to land use designations, development standards or other components of the Plan are proposed. Land within the Amendment area boundaries is currently zoned Planned Industrial (I-P); therefore, a change to Industrial – Specific Plan (I-SP) is not a significant land use change.

The Amendment area will provide the opportunity for additional area for industrial development. Although no development plans are proposed for any of the Amendment area lands at this

time, it would be expected that land uses in the Amendment area would be consistent with the permitted and conditionally permitted land uses in the adopted Specific Plan. The Draft Specific Plan, attached to this staff report, shows all proposed changes in either underlines (new) or strike-through (deleted) format, so the Town Council can easily identify what changes are proposed. All of the exhibits in the document were revised to reflect the revised Specific Plan boundary area.

General Plan Amendment and Zone Change

The proposed General Plan Amendment and Zone Change are required to maintain consistency in these documents as a result of the addition of the Amendment area to the Specific Plan. The General Plan Amendment, Zone Change and Specific Plan Amendment were anticipated in the General Plan Update and Annexation No. 2008-002. Therefore, the Findings for approval can be made.

Planning Commission Recommendation

At its meeting of September 7, 2011, the Planning Commission adopted Planning Commission Resolution No. 2011-03, forwarding a recommendation that the Town Council approve the Amendment to the North Apple Valley Industrial Specific Plan. Further, the Planning Commission Resolution recommends that the Council adopt the Findings as listed below.

Upon receiving staff's analysis, testimony from the public and subsequent Commission discussion, the Planning Commission recommended no changes to the document beyond those recommended by staff.

Environmental Review

The existing conditions, impacts and mitigation measures for all the CEQA issue areas, categorically, relating to the land being considered in this Specific Plan Amendment were studied in the General Plan Environmental Impact Report (EIR), under the discussion labeled "Annexation No. 2008-002". Furthermore, the land use designation proposed in the General Plan Land Use Map is consistent with the land use proposed in the Specific Plan Amendment. Conditions in the Specific Plan Amendment area have not changed since the preparation and certification of the General Plan EIR. Therefore, the conclusions of that document are applicable to the proposed Specific Plan Amendment, and no further environmental analysis under CEQA is required.

Findings

In considering any General Plan Amendment or Zone Change, the Council and Commission are required by the Municipal Code to make specific Findings.

The following are the Findings for a General Plan Amendment required under Section 9.02.050 H 3 of the Development Code, with a comment to address each:

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

Comment: The Specific Plan Amendment, and associated General Plan land-use designations, were anticipated and discussed during the Town's General Plan Update. The Amendments will assure the long-term, master planned growth of the area in high-quality commercial and industrial development.

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

Comment: The proposed General Plan Amendment includes land use map amendments to assure that development in this portion of Town remains consistent with the General Plan. The proposed Amendment will not create any internal inconsistencies.

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 proposed General Plan Amendment marginally increases the area of the North Apple Valley Industrial Specific Plan, which has been approved to assure master planned, high-quality commercial and industrial development in the northern part of Apple Valley.

The following are the Findings for an amendment to the Development Code, as is a Zone Change, as required under Section 9.06.060 and a comment to address each:

1. The proposed Amendment is consistent with the General Plan.

Comment: The proposed Zone Change from Planned Industrial (I-P) to Industrial – Specific Plan (I-SP) is not a significant land use change and would be consistent with the North Apple Valley Industrial Specific Plan. The Zone Change will assure the long-term, master planned growth of the area in high-quality commercial and industrial development.

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

Comment: The proposed Zone Change will assure a master planned high quality development of both land uses and infrastructure of sufficient size to accommodate the development and surrounding land uses for the long term.

Development Code Section 9.03.050 requires that the following Findings be made in order to approve a Specific Plan Amendment:

- A. The proposed Specific Plan meets all of the following content criteria:

1. Specifies through text and/or diagrams, the distribution, location and extent of the uses of land, including open space, within the area covered by the plan;

Comment: The approved Specific Plan already details land-use designations, permitted and conditionally permitted uses, and development standards to assure cohesive development within the Specific Plan area. The Amendment area will be integrated into the document, and will not affect its format.

2. Specifies through text and/or diagrams, the proposed distribution, location and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid-waste disposal, energy and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan;

Comment: Section IV of the approved Specific Plan details both existing and required future infrastructure improvements required to assure master planned, high quality development in the Specific Plan area. All infrastructure has been sized to accommodate full build-out of the Specific Plan, including the Amendment area.

3. Specifies through text and/or diagrams, the standards and criteria by which development will proceed, and standards for the conservation, development and utilization of natural resources, where applicable;

Comment: The development standards already included in the approved Specific Plan include text, tables and graphic representations of the requirements for development.

4. Specifies a program of implementation measures, including regulations, programs, public works projects, and financing measures necessary to carry out Findings A.1, A.2 and A.3 above;

Comment: Section IV of the approved Specific Plan discusses improvements required and the potential phasing of these improvements. The Specific Plan describes existing infrastructure and sets forth the backbone infrastructure required for the build-out of the Specific Plan area. In addition to this backbone infrastructure, individual projects will be required to extend infrastructure to their properties and assure connection to water, sanitary sewer, roads and regional flood control improvements for a uniform and master planned project, including the Amendment area.

5. Include a statement of the relationship of the Specific Plan to the General Plan, Development Code and other applicable plans or ordinances;

Comment: Section I of the Specific Plan discusses the relationship of the Specific Plan to the General Plan, as well as its consistency with it.

6. Address any other subjects that are necessary for implementation of the General Plan;

Comment: The approved Specific Plan includes extensive design guidelines to assure that both the original Specific Plan and the Amendment area are developed with high-quality buildings and infrastructure. The development standards also address landscape buffers and building setbacks where the Amendment area is adjacent to residential zoning designations.

- B. The location and design of the proposed development will be consistent with the goals and policies of the General Plan and with any other applicable plan or policies adopted by the Town and with any other applicable provisions of the Development Code.

Comment: The Specific Plan was specifically envisioned in the General Plan, and the Amendment area represents a logical extension of the area. The same development standards included in the original Specific Plan will apply to the Amendment area.

- C. The proposed location will allow the development to be well integrated with, or adequately buffered from, its surroundings, as appropriate.

Comment: The approved Specific Plan includes specific provisions for landscaping buffers, landscaped and building setbacks to assure that surrounding residential development is buffered from the proposed commercial and industrial land uses. The Amendment area will be subject to these standards as well.

- D. All vehicular traffic generated by the development, either in phased increments or at build-out, will be accommodated safely and without causing significantly increased congestion upon adjoining streets.

Comment: The traffic impact analysis prepared for the General Plan update EIR anticipated industrial development and, therefore, the level of improvements required and that the circulation system in the area will operate at acceptable levels of service throughout the project's development and at build out.

- E. The final Specific Plan will identify a methodology to allow land uses to be adequately serviced by existing or proposed public facilities and services. In appropriate circumstances, and as provided elsewhere by this Development Code, the Town may require that suitable areas be reserved for uses such as schools, parks and pedestrian ways; public open spaces may be dedicated or reserved by private covenant for the common use of residents, establishments or operations in the development.

Comment: Section IV of the Specific Plan includes discussion of all public services required for the original Specific Plan and the Amendment area. The location of schools in the Specific Plan area would not be appropriate, given the industrial nature of the plan.

- F. In accordance with the requirements of the California Environmental Quality Act (CEQA), environmental impacts have been reduced to a level of insignificance, or in the case where such impacts remain, a statement of overriding considerations must be adopted to justify the merits of project implementation after certification of the Environmental Impact Report.

Comment: The land being considered in this Specific Plan Amendment was studied in the General Plan Environmental Impact Report (EIR). The existing conditions, impacts and mitigation measures were addressed in that document for all the CEQA issue areas categorically, under the discussion labeled "Annexation No. 2008-002" in that document. Furthermore, the land use designation proposed in the General Plan Land Use Map is consistent with the land use proposed in the Specific Plan Amendment. Conditions in the Specific Plan Amendment area have not changed since the preparation and certification of the General Plan EIR. Therefore, the conclusions of that document are applicable to the proposed Specific Plan Amendment, and no further environmental analysis under CEQA is required.

- G. The proposed Specific Plan should contribute to a balance of land uses so local residents may work and shop in the community in which they live.

Comment: The purpose of the Specific Plan is, in part, to provide jobs for residents of Apple Valley and limit commute times, which currently exceed thirty (30) minutes on the average, by providing a wide range of employment opportunities within Town limits. The Amendment area extends these opportunities by providing added lands for development of commercial and industrial land uses.

- H. The proposed Specific Plan will not be detrimental to the public health, safety or welfare of the Town.

Comment: The Amendment area will be subject to the approved Specific Plan development standards, which are designed to assure that development is of high-quality and does not impact public health, safety or welfare.

Attachments:

1. Town Council Resolution 2012-02 to adopt General Plan Amendment No. 2011-01
2. Ordinance No. 428 adopting Zone Change No. 2011-01
3. Ordinance No. 427 adopting Specific Plan No. 2005-001 Amendment No. 5
4. Planning Commission staff report for September 7, 2011 and Planning Commission Resolution No. 2011-003
5. Planning Commission Minutes September 7, 2011
6. North Apple Valley Industrial Specific Plan (Separate Handout available for viewing in the Town Clerk's office.)

RESOLUTION No. 2012-02

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT NO. 2011-01 WHICH PRETAINS TO AMENDING A PORTION OF THE TOWN OF APPLE VALLEY GENERAL PLAN LAND USE POLICY MAP FROM PLANNED INDUSTRIAL (I-P) TO SPECIFIC PLAN (SP) FOR THE TWO SEPARATE AREAS GENERALLY BOUNDED BY DALE EVANS PARKWAY ON THE WEST, QUARRY ROAD ON THE SOUTH, LANGLEY ROAD TO THE NORTH AND CENTRAL ROAD TO THE EAST AND THE AREA GENERALLY BOUNDED BY THE EXTENSION OF QUARRY ROAD TO THE NORTH, JOSHUA ROAD ON THE EAST, AND JOHNSON AND LAFAYETTE ROADS TO THE SOUTH.

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

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

WHEREAS, on September 7, 2011, the Planning Commission of the Town of Apple Valley conducted a duly noticed and advertised public hearing on General Plan Amendment No. 2011-01 receiving testimony from the public and adopting Planning Commission Resolution No. 2011-03 forwarding a recommendation to the Council; and

WHEREAS, on December 16, 2011, General Plan Amendment No. 2011-01 was duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

WHEREAS, the existing conditions, impacts and mitigation measures were addressed in that document for all the CEQA issue areas, categorically, under the discussion labeled "Annexation No. 2008-002". Furthermore, the land use designation proposed in the General Plan Land Use Map is consistent with the land use proposed in the Specific Plan Amendment. Conditions in the Specific Plan Amendment area have not changed since the preparation and certification of the General Plan EIR; and

WHEREAS, General Plan Amendment No. 2011-01 is consistent with the goals, policies and standards of all elements of the General Plan as amended and will further those goals, policies and standards; and

WHEREAS, the adoption of General Plan Amendment No. 2011-01 conforms with Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley and will promote the health, safety and general welfare of the citizens of the Town of Apple Valley, and the Findings and Comments for the General Plan Amendment set forth in the staff report are hereby adopted; and

WHEREAS, The Town Council conducted a duly noticed public hearing on December 13, 2011 and heard all testimony of any person wishing to speak on the issue and considered the written recommendation of the Planning Commission on the matter.

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

Section 1. Finds that the changes proposed under General Plan Amendment No. 20011-01 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan, as amended, and as amended will comprise an integrated, internally consistent and compatible statement of policies for the Town, and the Amendment will further the public interest and promote the general welfare of the Town by providing for a logical pattern of land uses and clarifying various land use policies for the Town.

Section 2 The Town Council hereby approves and adopts General Plan Amendment No. 2011-01, amending a portion of the Town of Apple Valley General Plan Land Use Policy Map from Planned Industrial (I-P) to Specific Plan (SP) as shown on attached Exhibit "A",

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

APPROVED and **ADOPTED** this 10th day of January, 2012 by the Town Council of the Town of Apple Valley.

Barb Stanton, Mayor

ATTEST:

La Vonda M. Pearson, Town Clerk

ORDINANCE NO. 427

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING DESIGNATION FROM PLANNED INDUSTRIAL (I-P) TO SPECIFIC PLAN (SP) FOR THE AMENDMENT AREA.

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

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

WHEREAS, specific changes are proposed to Chapter 9.05, Section 9.05.040 "Adoption of the Official Zoning Districts Map" of Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley by amending the zoning designation from Planned Industrial (I-P) to Specific Plan (SP) as shown on Exhibit "A", and incorporated herein by reference; and

WHEREAS, Specific Plan No. 2005-001 Amendment No. 5, amends Exhibit II-2 (Land Use Map) to indicate a land use designation of Industrial Specific Plan (I-SP) for the amendment area; and

WHEREAS, on December 16, 2011, Zone Change No. 2011-01 was duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

WHEREAS, the existing conditions, impacts and mitigation measures were addressed in that document for all the CEQA issue areas, categorically, under the discussion labeled "Annexation No. 2008-002". Furthermore, the land use designation proposed in the General Plan Land Use Map is consistent with the land use proposed in the Specific Plan Amendment. Conditions in the Specific Plan Amendment area have not changed since the preparation and certification of the General Plan EIR; and

WHEREAS, on September 7, 2011, the Planning Commission of the Town of Apple Valley conducted a duly noticed public hearing on Zone Change No. 2011-01, receiving testimony from the public and adopting Planning Commission Resolution No. 2011-03 forwarding a recommendation to the Council; and

WHEREAS, on December 13, 2011, the Town Council of the Town of Apple Valley conducted a duly noticed and advertised public hearings on Zone Change No. 2011-01, receiving testimony from the public.

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

Section 1. Zone Change No. 2011-01 is consistent with Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley, as amended and shall promote the health, safety and general welfare of the citizens of the Town of Apple Valley.

Section 2. In consideration of the evidence received at the public hearing, and for the reasons discussed by the Council at said hearing, the Town Council of the Town of Apple Valley, California, adopts the Findings and Comments for the Zone Change set forth in the Staff Report, and finds that the changes proposed by Zone Change No. 2011-01 are

consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan as amended, and with Specific Plan No. 2005-001 Amendment No. 5.

Section 3. The Town Council hereby amends that certain portion of Title 9 (Development Code) of the Town of Apple Valley Municipal Code, Section 9.05.040 "Adoption of the Official Zoning Map" subsection "B" by amending the boundaries identified on the Official Zoning Map of the Town of Apple Valley by changing the zoning designation from Planned Industrial (I-P) to Specific Plan (SP) as shown on attached Exhibit "A", and incorporated herein by reference.

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

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

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

PASSED, APPROVED and ADOPTED this 24th day of January, 2012.

ATTEST:

Barb Stanton, Mayor

La Vonda M. Pearson, Town Clerk

APPROVED AS TO FORM:

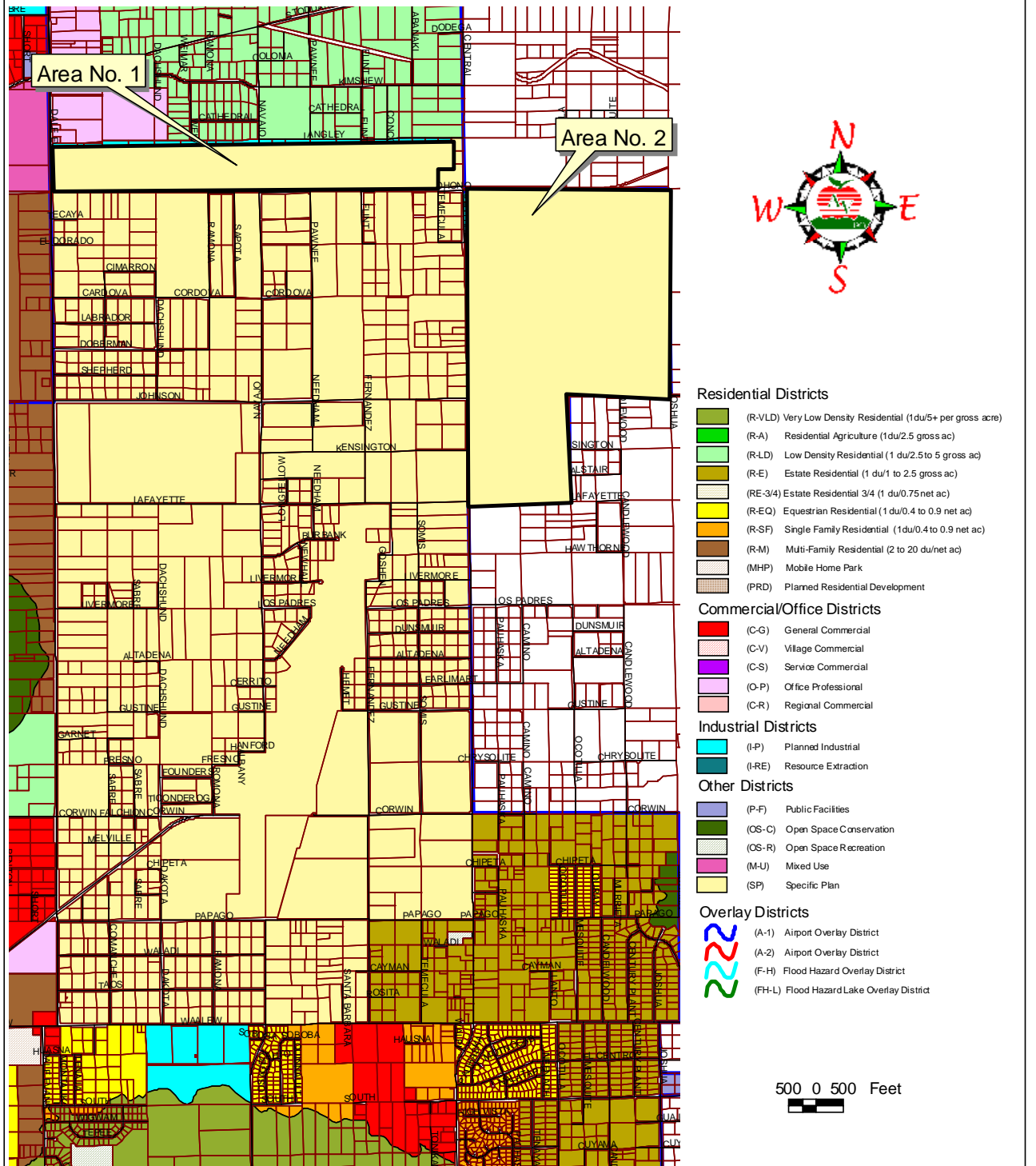
APPROVED AS TO CONTENT:

John Brown, Town Attorney

Frank Robinson, Town Manager

Exhibit "A"

From Planned Industrial (I-P) To Specific Plan (SP)



ORDINANCE NO. 428

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, ADOPTING SPECIFIC PLAN NO. 2005-001 AMENDMENT NO. 5, THE NORTH APPLE VALLEY INDUSTRIAL SPECIFIC PLAN.

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

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

WHEREAS, Specific Plan 2005-001 Amendment No. 5 is consistent with the General Plan and Municipal Code of the Town of Apple Valley; and

WHEREAS, on December 16, 2011, Specific Plan 2005-001 Amendment No. 5 was duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

WHEREAS, the existing conditions, impacts and mitigation measures were addressed in that document for all the CEQA issue areas, categorically, under the discussion labeled "Annexation No. 2008-002". Furthermore, the land use designation proposed in the General Plan Land Use Map is consistent with the land use proposed in the Specific Plan Amendment. Conditions in the Specific Plan Amendment area have not changed since the preparation and certification of the General Plan EIR; and

WHEREAS, on September 7, 2011 the Planning Commission of the Town of Apple Valley conducted a duly noticed public hearing on Specific Plan 2005-001 Amendment No. 5, receiving testimony from the public and adopting Planning Commission Resolution No. 2011-003 forwarding a recommendation to the Council; and

WHEREAS, on January 10, 2012 the Town Council of the Town of Apple Valley conducted a duly noticed and advertised public hearings on Specific Plan No. 2005-001 Amendment No. 5, receiving testimony from the public.

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

Section 1. The Town Council finds that the adoption of Specific Plan No. 2005-001 Amendment No. 5 is consistent with Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley and will not be detrimental to the health, safety or general welfare of the citizens of the Town of Apple Valley, as described in the Findings contained in the staff report.

Section 2. In consideration of the evidence received at the public hearing, and for the reasons discussed by the Council at said hearing, the Town Council of the Town of Apple Valley, California, adopts the Findings and comments for approval of the Specific Plan set forth in the Staff Report, and finds that Specific Plan 2005-001 Amendment No. 5 is consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan as amended.

Section 3. The Town Council hereby adopts the attached Specific Plan No. 2005-001 Amendment No. 5 document, the North Apple Valley Industrial Specific Plan.

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

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

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

PASSED, APPROVED and ADOPTED this 24th day of January, 2012.

ATTEST:

Barb Stanton, Mayor

La Vonda M. Pearson, Town Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

John Brown, Town Attorney

Frank Robinson, Town Manager



TOWN OF APPLE VALLEY PLANNING COMMISSION

Staff Report

- AGENDA DATE:** September 7, 2011
- CASE NUMBER:** General Plan Amendment No. 2011-001, Zone Change No. 2011-001 and Specific Plan No. 2005-001, Amendment No. 5
- APPLICANT:** Town of Apple Valley
- PROPOSAL:** General Plan Amendment No. 2011-001: A request to consider a change to the General Plan land use designation from Planned Industrial (I-P) to Specific Plan (SP) for the amendment area.
- Zone Change No. 2011-001: A request to consider a change to the zoning designation from Planned Industrial (I-P) to Industrial -Specific Plan (I-SP) for the amendment area.
- Specific Plan 2005-001 Amendment No. 5: A request to consider an amendment to the North Apple Valley Industrial Specific Plan (NAVISP) to add 1,120 acres to the 5,100 acre Industrial Specific Plan Area between Quarry and Langley Roads and the northeast area (Annexation No. 2008-002); amend specific text to reflect corrected land use acreage, square footage calculations, and exhibits to reflect new Specific Plan boundary.
- LOCATION:** The Amendment consists of two separate areas. Area No. 1 is bounded by Dale Evans Parkway on the west, Quarry Road on the south, Langley Road to the north and Central Road to the east. Area No. 2 is bounded by the extension of Quarry Road to the north, Joshua Road on the east, and Johnson and Lafayette Roads to the south.
- ENVIRONMENTAL DETERMINATION:** The land being considered in this Specific Plan Amendment was studied in the General Plan Environmental Impact Report (EIR). The existing conditions, impacts and mitigation measures were addressed in that document for all the CEQA issue areas categorically, under the discussion labeled "Annexation No. 2008-002" in that document.

Furthermore, the land use designation proposed in the General Plan Land Use Map is consistent with the land use proposed in the Specific Plan Amendment. Conditions in the Specific Plan Amendment area have not changed since the preparation and certification of the General Plan EIR. Therefore, the conclusions of that document are applicable to the proposed Specific Plan Amendment, and no further environmental analysis under CEQA is required.

CASE PLANNER: Ms. Carol Miller, Senior Planner

RECOMMENDATION: Approval

PROJECT SITE AND DESCRIPTION:

A. **Project Size**

The existing Specific Plan area totals 5,100 acres. The proposed amendment would add 1,120 acres, for a total Specific Plan area of 6,220 acres. The Amendment consists of two (2) separate areas. Area No. 1 is bounded by Dale Evans Parkway on the west, Quarry Road on the south, Langley Road to the north and Central Road to the east comprises approximately 320 acres. Area No. 2 is bounded by the extension of Quarry Road to the north, Joshua Road on the east, and Johnson and Lafayette Roads to the south and comprises approximately 800 acres.

B. **General Plan Designations**

Amendment Area No. 1:

Current – Planned Industrial (I-P)
Proposed – Specific Plan (SP)
North: Office Professional (O-P), Residential Low Density (R-LD)
East: Commercial Industrial (County)
South: Specific Plan (SP)
West: Specific Plan (SP)

Amendment Area No. 2:

Current – Planned Industrial (I-P)
Proposed – Specific Plan (SP)
North: Rural Living-5 (RL-5, County), Commercial Industrial (I-C, County)
East: Commercial Industrial (IC, County), Rural Living (RL, County)
South: Rural Living (RL, County), Residential Conservation (RC, County)
West: Specific Plan (SP)

C. **Surrounding Zoning**

Amendment Area No.1:

Current – Planned Industrial (I-P)
Proposed - Industrial – Specific Plan (I-SP)
North: Office Professional (O-P), Residential Low Density (R-LD)
East: Commercial Industrial (County)
South: Industrial – Specific Plan (I-SP)
West: Industrial – Specific Plan (I-SP)

Amendment Area No. 2:

Current – Planned Industrial (I-P)
Proposed - Industrial – Specific Plan (I-SP)
North: Rural Living-5 (RL-5, County), Commercial Industrial (IC, County)
East: Commercial Industrial (IC, County), Rural Living (RL, County)
South: Rural Living (RL, County), Residential Conservation (RC, County)
West: Industrial – Specific Plan (I-SP)

D. Site Characteristics

The Amendment area is currently mostly vacant lands. The Amendment area located north of Quarry Road is vacant land. The Amendment area that was a part of Annexation No. 2008-002 is currently vacant, with the exception of approximately five (5) acres, which are part of the Cemex quarry operations located north and east of Town limits.

ANALYSIS

Background and Introduction

In 2006, the Town of Apple Valley prepared and approved the North Apple Valley Industrial Specific Plan. At that time, an Environmental Impact Report (SCH #2006031112) was also certified. The Specific Plan encompasses 5,100 acres of land bounded by Quarry Road on the north, Waalew Road on the south, Dale Evans Parkway on the west, and Central Road on the east.

The goal of the Specific Plan is to facilitate the development by land owners and developers of a broad range of industrial and commercial land uses. The ultimate goal of the Specific Plan is to establish a “jobs preserve” and build a broad, sustainable economic base to strengthen the Town’s Economic future. The Specific Plan provides new land use designations, development standards and guidelines which will allow this development. The Specific Plan is intended to be a long-term document, with development anticipated over a twenty (20)-year period.

The North Apple Valley Industrial Specific Plan, Amendment No.5 consists of the following:

4. The addition of a total of 1,120 acres of land located on the north side of Quarry Road and the northeast corner of the Specific Plan area that was annexed into the Town in 2011 (Annexation No. 2008-002).
5. The amendment of Specific Plan text to reflect the corrected land use acreage and square footage calculations with the addition of these lands.
6. Revision of the Exhibits within the document to reflect the revised Specific Plan boundary.

No other changes to land use designations, development standards or other components of the Plan are proposed.

Land within the Amendment area boundary is currently zoned Planned Industrial (I-P), therefore, a change to Industrial – Specific Plan (I-SP) is not a significant land use change.

The Amendment area will provide the opportunity for additional area for industrial development. Although no development plans are proposed for any of the Amendment area lands at this time, it would be expected that land uses would be consistent with the permitted and conditionally permitted land uses in the adopted Specific Plan. The Draft Specific Plan attached to this staff report shows all proposed changes in either underlines (new) or struck-through (deleted) format, so that the Planning Commission can easily identify what changes are proposed. All of the exhibits in the document were revised to reflect the revised Specific Plan boundary area.

Currently, the Amendment area east of Central Road is outside the service area boundaries of any of the several water purveyors that serve the Town. However, the Apple Valley Ranchos Water Company (AVR) provides water service to the majority of the Town of Apple Valley, and its service area extends to the west side of Central Road. As the annexation area builds out and increased demand warrants, it is expected that it will be annexed into the AVR service area for provision of domestic water and associated facilities, including the extension of water lines. Future development projects will be required to extend water lines and associated facilities to serve each project, and shall be responsible for costs associated with connecting development on each site to the service.

General Plan Amendment and Zone Change

The proposed General Plan Amendment and Zone Change are required to maintain consistency in these documents as a result of the addition of the Amendment area to the Specific Plan. The General Plan Amendment, Zone Change and Specific Plan Amendment were anticipated in the General Plan Update and Annexation No. 2008-002. Therefore, the Findings for approval can be made.

Environmental Assessment:

The land being considered in this Specific Plan Amendment was studied in the General Plan Environmental Impact Report (EIR). The existing conditions, impacts and mitigation measures were addressed in that document for all the CEQA issue areas categorically, under the discussion labeled "Annexation No. 2008-002" in that document. Furthermore, the land use designation proposed in the General Plan Land Use Map is consistent with the land use proposed in the Specific Plan Amendment. Conditions in the Specific Plan Amendment area have not changed since the preparation and certification of the General Plan EIR. Therefore, the conclusions of that document are applicable to the proposed Specific Plan Amendment, and no further environmental analysis under CEQA is required.

E. Noticing:

This item was advertised as a public hearing in the Apple Valley News newspaper on August 26, 2011 and notices were mailed to all property owners within the proposed amendment area, and all areas within approximately 1,300 feet of the amendment area.

F. Findings

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

4. 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 Specific Plan Amendment, and associated General Plan land-use designations, were anticipated and discussed during the Town's General Plan Update. The Amendments will assure the long-term, master planned growth of the area in high-quality commercial and industrial development.

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

Comment: The proposed General Plan Amendment includes land use map amendments to assure that development in this portion of Town remains consistent with the General Plan. The proposed Amendment will not create any internal inconsistencies.

6. 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 proposed General Plan Amendment marginally increases the area of the North Apple Valley Industrial Specific Plan, which has been approved to assure master planned, high-quality commercial and industrial development in the northern part of Apple Valley.

The following are the Findings for an amendment to the Development Code, as is a Zone Change, as required under Section 9.06.060 and a comment to address each:

1. The proposed Amendment is consistent with the General Plan.

Comment: The proposed Zone Change from Planned Industrial (I-P) to Industrial – Specific Plan (I-SP) is not a significant land use change and would be consistent with the NAVISP. The Zone Change will assure the long-term, master planned growth of the area in high-quality commercial and industrial development.

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

Comment: The proposed Zone Change will assure a master planned high quality development of both land uses and infrastructure of sufficient size to accommodate the development and surrounding land uses for the long term.

Development Code Section 9.03.050 requires that the following Findings be made in order to approve a Specific Plan Amendment:

- I. The proposed Specific Plan meets all of the following content criteria:

1. Specifies through text and/or diagrams, the distribution, location and extent of the uses of land, including open space, within the area covered by the plan;

Comment: The approved Specific Plan already details land-use designations, permitted and conditionally permitted uses, and development standards to assure cohesive development within the Specific Plan area. The Amendment area will be integrated into the document, and will not affect its format.

2. Specifies through text and/or diagrams, the proposed distribution, location and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid-waste disposal, energy and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan;

Comment: Section IV of the approved Specific Plan details both existing and required future infrastructure improvements required to assure master planned, high quality development in the Specific Plan area. All infrastructure has been sized to accommodate full build-out of the Specific Plan, including the amendment area.

3. Specifies through text and/or diagrams, the standards and criteria by which development will proceed, and standards for the conservation, development and utilization of natural resources, where applicable;

Comment: The development standards already included in the approved Specific Plan include text, tables and graphic representations of the requirements for development.

4. Specifies a program of implementation measures, including regulations, programs, public works projects, and financing measures necessary to carry out Findings A.1, A.2 and A.3 above;

Comment: Section IV of the approved Specific Plan discusses improvements required and the potential phasing of these improvements. The Specific Plan describes existing infrastructure and sets forth the backbone infrastructure required for the build-out of the Specific Plan area. In addition to this backbone infrastructure, individual projects will be required to extend infrastructure to their properties and assure connection to water, sanitary sewer, roads and regional flood control improvements for a uniform and master planned project, including the Amendment area.

5. Includes a statement of the relationship of the Specific Plan to the General Plan, Development Code and other applicable plans or ordinances;

Comment: Section I of the Specific Plan discusses the relationship of the Specific Plan to the General Plan, as well as its consistency with it.

6. Address any other subjects that are necessary for implementation of the General Plan;

Comment: The approved Specific Plan includes extensive design guidelines to assure that both the original Specific Plan and the Amendment

area are developed with high-quality buildings and infrastructure. The development standards also address landscape buffers and building setbacks where the Amendment area is adjacent to residential zoning designations.

- J. The location and design of the proposed development will be consistent with the goals and policies of the General Plan and with any other applicable plan or policies adopted by the Town and with any other applicable provisions of the Development Code.

Comment: The Specific Plan was specifically envisioned in the General Plan, and the Amendment area represents a logical extension of the area. The same development standards included in the original Specific Plan will apply to the Amendment area.

- K. The proposed location will allow the development to be well integrated with, or adequately buffered from, its surroundings, as appropriate.

Comment: The approved Specific Plan includes specific provisions for landscaping buffers, landscaped and building setbacks to assure that surrounding residential development is buffered from the proposed commercial and industrial land uses. The Amendment area will be subject to these standards as well.

- L. All vehicular traffic generated by the development, either in phased increments or at build-out, will be accommodated safely and without causing significantly increased congestion upon adjoining streets.

Comment: The traffic impact analysis prepared for the General Plan update EIR anticipated industrial development and, therefore, the level of improvements required and that the circulation system in the area will operate at acceptable levels of service throughout the project's development and at build out.

- M. The final Specific Plan will identify a methodology to allow land uses to be adequately serviced by existing or proposed public facilities and services. In appropriate circumstances, and as provided elsewhere by this Development Code, the Town may require that suitable areas be reserved for uses such as schools, parks and pedestrian ways; public open spaces may be dedicated or reserved by private covenant for the common use of residents, establishments or operations in the development.

Comment: Section IV of the Specific Plan includes discussion of all public services required for the original Specific Plan and the Amendment area. The location of schools in the Specific Plan area would not be appropriate, given the industrial nature of the plan.

- N. In accordance with the requirements of the California Environmental Quality Act (CEQA), environmental impacts have been reduced to a level of insignificance, or in the case where such impacts remain, a statement of overriding considerations must be adopted to justify the merits of project implementation after certification of the Environmental Impact Report.

Comment: The land being considered in this Specific Plan Amendment was studied in the General Plan Environmental Impact Report (EIR). The existing conditions, impacts and mitigation measures were addressed in that document for all the CEQA issue areas categorically, under the discussion labeled "Annexation No. 2008-002" in that document. Furthermore, the land use designation proposed in the General Plan Land Use Map is consistent with the land use proposed in the Specific Plan Amendment. Conditions in the Specific Plan Amendment area have not changed since the preparation and certification of the General Plan EIR. Therefore, the conclusions of that document are applicable to the proposed Specific Plan Amendment, and no further environmental analysis under CEQA is required.

- O. The proposed Specific Plan should contribute to a balance of land uses so local residents may work and shop in the community in which they live.

Comment: The purpose of the Specific Plan is, in part, to provide jobs for residents of Apple Valley and limit commute times, which currently exceed thirty (30) minutes on the average, by providing a wide range of employment opportunities within Town limits. The Amendment area extends these opportunities by providing added lands for development of commercial and industrial land uses.

- P. The proposed Specific Plan will not be detrimental to the public health, safety or welfare of the Town.

Comment: The Amendment area will be subject to the approved Specific Plan development standards, which are designed to assure that development is of high-quality and does not impact public health, safety or welfare.

RECOMMENDATION:

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

1. Adopt Planning Commission Resolution No. 2011-003, recommending that the Town Council:
 - a. Adopt the recommended Findings in the staff report and a resolution approving General Plan Amendment No. 2011-001, changing land use designations to those identified in Specific Plan No. 2005-001, Amendment No. 5;
 - b. Adopt an Ordinance approving Specific Plan No. 2005-001, Amendment No.5, the North Apple Valley Industrial Specific Plan; and
 - c. Adopt an Ordinance approving Zone Change No. 2011-001, implementing the zoning established by Specific Plan No. 2005-001, Amendment No. 5, including the land use designations identified therein.

Prepared By:

Carol Miller
Senior Planner

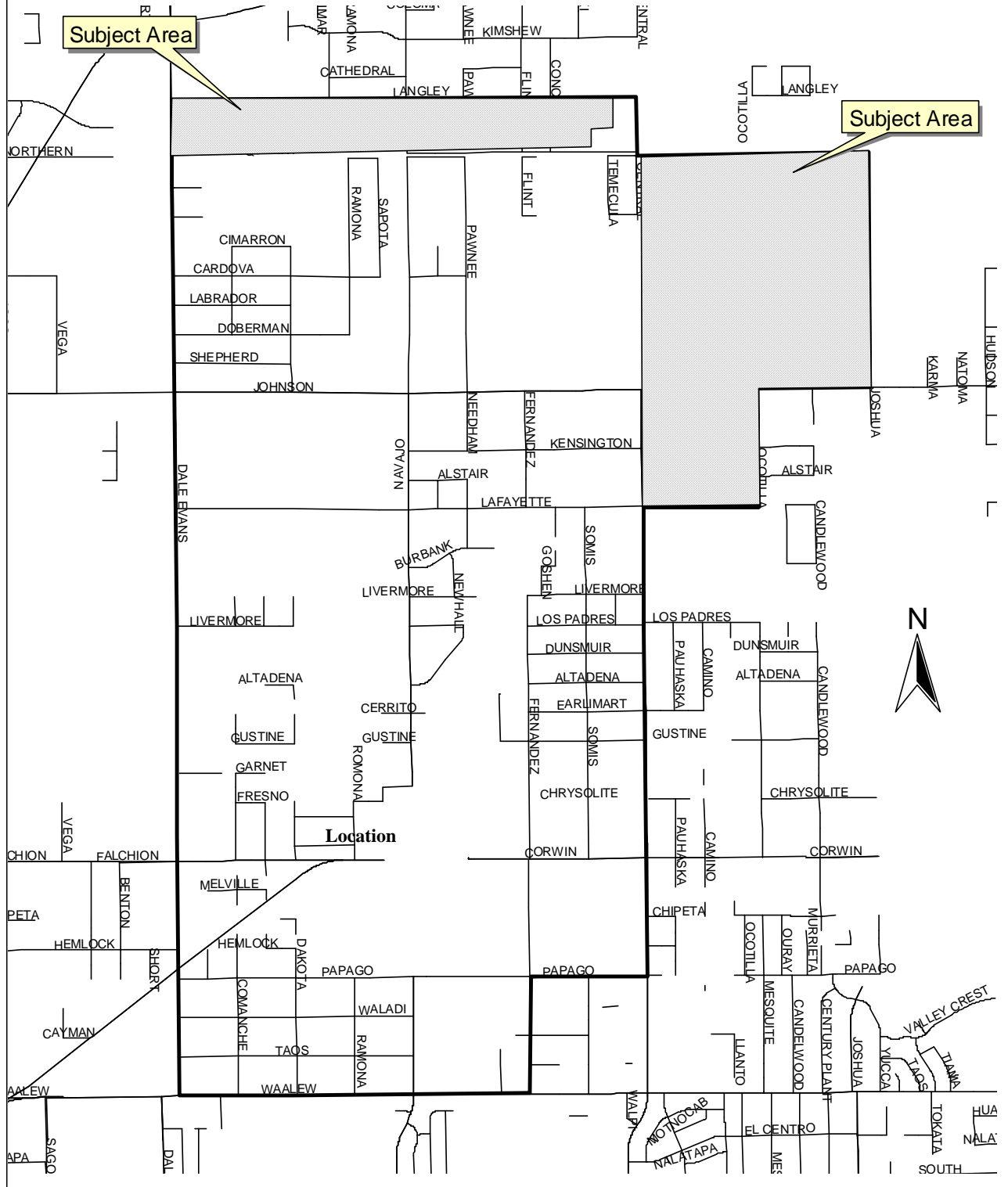
Reviewed By:

Lori Lamson
Assistant Director of Community Development

ATTACHMENTS:

1. Project Area Map
2. Planning Commission Resolution No. 2011-003
3. Specific Plan (Separate Handout)

North Apple Valley Industrial Specific Plan, Amendment No. 5 LOCATION MAP



PLANNING COMMISSION RESOLUTION NO. 2011-003

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF APPLE VALLEY, CALIFORNIA, RECOMMENDING THAT THE TOWN COUNCIL APPROVE GENERAL PLAN AMENDMENT NO. 2011-001, AMENDING PORTIONS OF THE LAND USE ELEMENT, AND ADOPT SPECIFIC PLAN NO. 2005-001, AMENDMENT NO. 5 AND ZONE CHANGE NO. 2011-001, AMENDING LAND USE DESIGNATIONS TO INDUSTRIAL – SPECIFIC PLAN.

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

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

WHEREAS, specific changes are proposed to the Land Use Element of the adopted General Plan of the Town of Apple Valley by amending the Land Use Designation of parcels generally located north of Quarry Road and also, parcels generally located east of Central Road, west of Joshua Road, north of Lafayette Road; and

WHEREAS, specific changes are proposed to Chapter 9.05, Section 9.05.040 “Adoption of the Official Zoning Districts Map” of Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley by amending the zoning designation of parcels generally located north of Quarry Road and also, parcels generally located east of Central Road, west of Joshua Road, north of Lafayette Road, as depicted in Exhibit A attached hereto; and

WHEREAS, a Specific Plan of Land Use was originally approved October 10, 2006 for lands generally located east of Dale Evans Parkway, south of Quarry Road, west of Central Road and north of Waalew Road and contiguous to the subject property; and

WHEREAS, on August 26, 2011, General Plan Amendment No. 2011-001, Specific Plan 2005-001, Amendment No. 5 and Zone Change No. 2011-001 were duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

WHEREAS, staff has determined under the State Guidelines to implement the California Environmental Quality Act (CEQA) that no further environmental review is required since the land use changes being considered in this General Plan Amendment, Zone Change and Specific Plan Amendment were studied in the General Plan Environmental Impact Report (EIR); and

WHEREAS, the existing conditions, impacts and mitigation measures were addressed in that document for all the CEQA issue areas, categorically, under the discussion labeled "Annexation No. 2008-002". Furthermore, the land use designation proposed in the General Plan Land Use Map is consistent with the land use proposed in the Specific Plan Amendment. Conditions in the Specific Plan Amendment area have not changed since the preparation and certification of the General Plan EIR; and

WHEREAS, on September 7, 2011, the Planning Commission of the Town of Apple Valley conducted a duly noticed and advertised public hearing on General Plan Amendment No. 2011-001, Specific Plan No. 2005-001, Amendment No. 5 and Zone Change No. 2011-001 receiving testimony from the public; and

WHEREAS, the proposed General Plan Amendment No. 2011-001, Specific Plan No. 2005-001, Amendment No. 5 and Zone Change No. 2011-001 are consistent with Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley and shall promote the health, safety and general welfare of the citizens of the Town of Apple Valley.

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

Section 1. In consideration of the evidence received at the public hearing, and for the reasons discussed by the Commissioners at said hearing, that the Town Council of the Town of Apple Valley, California, finds that the changes proposed under General Plan Amendment No. 2011-001, Specific Plan No. 2005-001, Amendment No. 5 and Zone Change No. 2011-001 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan.

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

Section 3. Since conditions in the Specific Plan Amendment area have not changed since the preparation and certification of the General Plan EIR, the conclusions of that document are applicable to the proposed Specific Plan Amendment, and no further environmental analysis under CEQA is required.

Section 4. Adopt a Town Council Resolution amending the adopted Town of Apple Valley General Plan Land Use Element by amending the Land Use Designations from Planned Industrial (I-P) to Industrial – Specific Plan (I-SP).

Section 5. Adopt an ordinance approving Specific Plan No. 2005-001, Amendment No. 5 establishing land use designations, development standards and guidelines for the amendment area of the North Apple Valley Industrial Specific Plan.

Section 6. Adopt an ordinance amending certain portions of Title 9 (Development Code) of the Town of Apple Valley Municipal Code, Section 9.05.040 “Adoption of the Official Zoning Map” subsection “B” by amending the boundaries identified on the Official Zoning Map of the Town of Apple Valley by changing the zoning designation for parcels located within the amendment area.

Approved and Adopted by the Planning Commission of the Town of Apple Valley this 7th day of September 2011.

Chairman B. R. "Bob" Tinsley

ATTEST:

I, Debra Thomas, Secretary to the Planning Commission of the Town of Apple Valley, California, do hereby certify that the foregoing resolution was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on the 7th day of September 2011 by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ms. Debra Thomas, Planning Commission Secretary

**MINUTES EXCERPT
TOWN OF APPLE VALLEY
PLANNING COMMISSION
Regular Meeting
September 7, 2011**

CALL TO ORDER

At 6:05 p.m., the Regular meeting of the Planning Commission of the Town of Apple Valley for September 7, 2011, was called to order by Chairman Tinsley.

ROLL CALL

Planning Commission

Roll call was taken with the following members present: Commissioner David Hernandez, Commissioner Mark Shoup, Vice-Chairman Larry Cusack and Chairman B.R. "Bob" Tinsley. Absent: Commissioner Jason Lamoreaux.

STAFF PRESENT

Lori Lamson, Assistant Director of Community Development; Carol Miller, Senior Planner; Haviva Shane, Town Attorney; and Debra Thomas, Planning Commission Secretary.

PUBLIC HEARING ITEMS

2. General Plan Amendment No. 2011-001, Zone Change No. 2011-001 and Specific Plan No. 2005-001, Amendment No. 5

Applicant: Town of Apple Valley

Location: The Amendment consists of two (2) separate areas. Area No. 1 is bounded by Dale Evans Parkway on the west, Quarry Road on the south, Langley Road to the north and Central Road to the east. Area No. 2 is bounded by the extension of Quarry Road to the north, Joshua Road on the east, and Johnson and Lafayette Roads to the south.

Chairman Tinsley opened the public hearing at 6:09 p.m.

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

Ms. Miller informed the Planning Commission that the Town of Apple Valley's ("Town") legal Counsel recommended some minor changes to Planning Commission Resolution No. 2011-003 and that those changes had been amended and were available for the Chairman Tinsley's signature tonight.

Ms. Lori Lamson, Assistant Director of Community Development, asked Ms. Miller to read the amended sections of Planning Commission Resolution No. 2011-003 into the record.

Commissioner Shoup asked if there was anything in the language of Planning Commission Resolution No. 2011-003 that, in any way, obligated the Town to further service with the Apple Valley Ranchos Water Company (“AVRWC”) anticipating that the Town may purchase AVRWC or acquire some other municipal water service.

Ms. Miller explained that the Resolution contained no language with respect to any possible acquisition by the Town. Any future project within the Specific Plan would need to have water service or water lines extended to connect to.

PUBLIC COMMENTS

Mr. Duane Fleming, Victorville, CA., owns property in the Apple Valley area. He asked what the difference was between industrial and specific plan zoning.

Ms. Lamson advised that the Town is expanding the size of the Specific Plan and explained how the development process would work for projects within that area.

Mr. Fleming asked if there were any upcoming projects. The industrial/specific zoning borders his property line and he had concerns about his property value.

Ms. Lamson informed Mr. Fleming there are no upcoming projects in the near future.

Chairman Tinsley closed the public hearing at 6:17 p.m.

MOTION:

Motion by Commissioner Shoup, seconded by Vice-Chairman Cusack, that the Planning Commission move to:

1. Adopt Planning Commission Resolution No. 2011-003, recommending that the Town Council:
 - a. Adopt the recommended Findings in the staff report and a Resolution approving General Plan Amendment No. 2011-001, changing land use designations to those identified in Specific Plan No. 2005-001, Amendment No. 5;
 - b. Adopt an Ordinance approving Specific Plan No. 2005-001, Amendment No. 5, the North Apple Valley Industrial Specific Plan; and
 - c. Adopt an Ordinance approving Zone Change No. 2011-001, implementing the zoning established by Specific Plan No. 2005-001, Amendment No. 5, including the land use designations identified therein.

ROLL CALL VOTE:

Ayes:	Commissioner Hernandez Commissioner Shoup Vice-Chairman Cusack Chairman Tinsley
Noes:	None
Abstain:	None

Absent: Commissioner Lamoreaux
The motion carried by a 4-0-0-1 vote